

**SPECIAL MEETING
OF THE
CITY OF GARFIELD MAYOR AND COUNCIL
September 14, 2021
6:00P.M.**

1. CALL TO ORDER:

The Special Meeting of the Mayor and Council of the City of Garfield was called to order on Tuesday, September 14, 2021 at 6:18PM in the Council Caucus Room of the Municipal Building, 111 Outwater Lane, Garfield, New Jersey. On Roll Call present members were: Councilman Maslag, Councilman Herrera, Councilwoman Banch, Deputy Mayor Delaney, and Mayor Rigoglioso. Also present were City Manager Delaney, City Attorney Ferraro, Special Engineer Kevin Boswell, and CFO Roy Riggitano.

2. STATEMENT OF COMPLIANCE:

Whereas, P.L. 1975, Chapter 231 of the Open Public Meetings Act of the State of New Jersey requires at the commencement of every meeting a Statement of Compliance be read.

Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing a special meeting notice in The Record and Herald News and by posting such notice in the office of the City Clerk as well as in a public place within the Municipal Building, and by notifying interested citizens. Said notice was posted and transmitted on August 30, 2021 and published on September 1 and September 3, 2021.

3. PROCLAMATION

City Manager Delaney presented a special proclamation for the 2020/2021 Pulaski Parade Committee honorees. Said presentation was signed by Mayor Rigoglioso.

4. ORDINANCES:

FIRST READING

R-21-289

Introduce Ord. #2894

AN ORDINANCE TO AMEND ARTICLE II OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "PARKING FOR HANDICAPPED PERSONS," SPECIFICALLY § 226-5 THEREIN, ENTITLED "APPLICATION FOR HANDICAPPED PARKING SPACE"

R-21-290

Introduce Ord. #2895

AN ORDINANCE TO AMEND CHAPTER 161 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "GARAGE SALES" TO ALLOW EACH INDIVIDUAL TO CONDUCT UP TO 4 GARAGE SALES IN A CALENDAR YEAR

R-21-291

Introduce Ord. #2896

AN ORDINANCE TO REPEAL CHAPTER 41 "PARKING AUTHORITY" OF THE CITY CODE OF THE CITY OF GARFIELD

R-21-292

Introduce Ord. #2897

AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER 1268 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED 'AN ORDINANCE TO REGULATE TRAFFIC AND PARKING,' MORE PARTICULARLY THE SECTION DESIGNATING STOP SIGN INTERSECTIONS

R-21-293 Introduce Ord. #2898
**AN ORDINANCE TO FIX THE SALARY, WAGES, AND
COMPENSATION OF CERTAIN OFFICERS AND
EMPLOYEES OF THE CITY OF GARFIELD, BERGEN
COUNTY, NEW JERSEY**

R-21-294 Introduce Ord. #2899
**AN ORDINANCE TO ADD CHAPTER 41 TO THE CITY
CODE OF THE CITY OF GARFIELD, ENTITLED
“PARKING AUTHORITY”**

5. CONSENT AGENDA:

R-21-295 Emergency Appropriation in Accordance with N.J.S.A. 40A:4-49
Improvements to City Buildings and Acquisition of Vehicles and
Equipment

R-21-296 Authorizing Application to Local Finance Board for Parking
Authority

R-21-297 Resolution Combining Several Authorizations of Bonds into a
Single Issue and Prescribing the Details and Bond Form Thereof
for \$9,860,000 General Improvement Bonds Dated October 15,
2021

R-21-298 Resolution Authorizing the Publication, Printing and Distribution
of a Notice of Sale and the Publication of a Summary Notice
of Sale and Prescribing the Forms Thereof for \$9,860,000
General Improvement Bonds, Dated October 15, 2021, Approving
the Preparation, Distribution and Execution of a Preliminary
and a Final Official Statement for Such Bonds, Undertaking to
Provide Continuing Disclosure of Financial Information,
Covenanting to Comply With the Internal Revenue Code of
1986, as Amended, and Authorizing Various Matters in
Connection With Electronic Bidding for the Bonds

R-21-299 Resolution Authorizing the City Manager to Enter into a Contract
with DMR Architects for an Investigative Study for 252 Midland
Avenue and 143 Clark Street to Determine if It Meets the Statutory
Criteria for an Area in Need of Redevelopment, with
Condemnation

R-21-300 Resolution Authorizing the City Manager to Enter into a Contract
with DMR Architects for an Investigative Study for 69 Hepworth
Place to Determine if It Meets the Statutory Criteria for an Area in
Need of Redevelopment, Non-Condemnation

R-21-301 Resolution Authorizing the City Manager to Enter into a Contract
with DMR Architects for an Investigative Study for 94, 100, &
104 Passaic Street to Determine if It Meets the Statutory Criteria
for an Area in Need of Redevelopment, Non-Condemnation

R-21-302 A Resolution of the City Council of the City of Garfield, County of
Bergen, State of New Jersey Determining that the Property
Generally Known as 28 Walnut Street, Also Known as Block
119.03, Lot 36 As Shown on the Official Tax Map of the City of
Garfield Qualify and is Determined as an Area in Need of
Redevelopment, Specifically a Non-Condemnation Redevelopment
Area, Pursuant to the Local Redevelopment and Housing Law,
N.J.S.A. 40A:12A-1 et. seq.

- R-21-303 A Resolution of the City Council of the City of Garfield, County of Bergen, State of New Jersey Determining that The Properties Generally Known as 30-38 Plauderville Avenue, also Known as Block 147.02, Lots 1, 5 and 7 as Shown on the Official Tax Map of the City of Garfield Qualify and is Determined as an Area in Need of Redevelopment, Specifically a Non-Condensation Redevelopment Area, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq.
- R-21-304 Resolution Authorizing the City Manager to Enter into a Contract with DMR Architects to Prepare a Redevelopment Plan for 30-38 Plauderville Avenue Pursuant to the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 et. seq.
- R-21-305 Resolution Authorizing the City Manager to Enter into a Contract with DMR Architects to Prepare a Redevelopment Plan for 933 River Drive Pursuant to the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 et. seq.
- R-21-306 Approval to Submit a Grant Application and Execute a Grant Contract with The New Jersey Department of Transportation for Improvements Along Midland Avenue
- R-21-307 Resolution to Approve the Consent Agenda

6. PUBLIC HEARING:

7. EXECUTIVE SESSION:

8. ADJOURNMENT:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-289**

RESOLUTION BY: COUNCILMAN HERRERA

SECONDED BY: COUNCILMAN MASLAG

INTRODUCE ORDINANCE #2894

FIRST READING

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND ARTICLE II OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “PARKING FOR HANDICAPPED PERSONS,” SPECIFICALLY § 226-5 THEREIN, ENTITLED “APPLICATION FOR HANDICAPPED PARKING SPACE”

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in the City Hall on Tuesday, September 28, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk’s office be and is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____

Laura Borchers, RMC, CMR

Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2894**

AN ORDINANCE TO AMEND ARTICLE II OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “PARKING FOR HANDICAPPED PERSONS,” SPECIFICALLY § 226-5 THEREIN, ENTITLED “APPLICATION FOR HANDICAPPED PARKING SPACE”

WHEREAS the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Amend Article II §226 of the City Code of the City of Garfield, entitled “PARKING FOR HANDICAPPED PERSONS,” specifically § 226-5 therein, entitled “APPLICATION FOR HANDICAPPED PARKING SPACE,”

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, as follows:

SECTION 1. Article II §226 of the City Code of the City of Garfield, entitled “PARKING FOR HANDICAPPED PERSONS” specifically §226-5(A) therein, entitled “APPLICATION FOR HANDICAPPED PARKING SPACE” is hereby amended as follows:

§ 226-5 Application for handicapped parking space.

Any resident of the City of Garfield possessing a valid New Jersey driver's license who has qualified for a handicapped parking permit from the State of New Jersey, or is the caretaker living in the residence of the said resident, may apply to the City of Garfield for a handicapped parking space located near their residence. The application shall be submitted to the Garfield **Police Department** with a current copy of the applicant's handicapped parking permit, valid driver's license issued by the State of New Jersey and registration information regarding the designated vehicle.

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____

Laura Borchers, RMC, CMR

Deputy Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: September 14, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-290**

**RESOLUTION BY: COUNCILWOMAN BANCH
SECONDED BY: COUNCILMAN MASLAG**

**INTRODUCE ORDINANCE #2895
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 161 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “GARAGE SALES” TO ALLOW EACH INDIVIDUAL TO CONDUCT UP TO 4 GARAGE SALES IN A CALENDAR YEAR

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in the City Hall on Tuesday, September 28, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk’s office be and is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2895**

AN ORDINANCE TO AMEND CHAPTER 161 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “GARAGE SALES” TO ALLOW EACH INDIVIDUAL TO CONDUCT UP TO 4 GARAGE SALES IN A CALENDAR YEAR

WHEREAS the Governing Body of Garfield believes it is in the best interest of the City of Garfield to allow individuals to conduct up to 4 garage sales in a calendar year;

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, as follows:

SECTION 1. Chapter 161 of the City Code of the City of Garfield, entitled ‘Garage Sales,’ is hereby amended to read as follows:

§ 161-3. Sale conduct regulations.

The following regulations shall limit the conduct of garage sales within the City of Garfield:

- A. No garage sale, as defined by this chapter, shall be conducted without obtaining a permit for such sale as set forth in this chapter.
- B. No person shall conduct a garage sale more than **four** ~~two~~ times in a calendar year.
- C. No location or address shall serve as a site of any garage sale more than **four** ~~two~~ times in a calendar year.
- D. All sales shall be limited to the hours between 10:00 a.m. and 6:00 p.m. on any given day.
- E. All signs are regulated by the City of Garfield Code, Chapter 341, Zoning, Article X.

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. All other provisions of §161 of the Code of the City of Garfield are not further amended and remain in full force and effect.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____

Laura Borchers, RMC, CMR

Deputy Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: September 14, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-291**

**RESOLUTION BY: COUNCILMAN HERRERA
SECONDED BY: COUNCILWOMAN BANCH**

**INTRODUCE ORDINANCE #2896
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**AN ORDINANCE TO REPEAL CHAPTER 41 “PARKING AUTHORITY” OF THE
CITY CODE OF THE CITY OF GARFIELD**

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in the City Hall on Tuesday, September 28, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk’s office be and is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2896**

AN ORDINANCE TO REPEAL CHAPTER 41 “PARKING AUTHORITY” OF THE CITY CODE OF THE CITY OF GARFIELD

WHEREAS the Governing Body of Garfield believes it is in the best interest of the City of Garfield to repeal Chapter 41 “Parking Authority” of the City Code of the City of Garfield.

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, as follows:

SECTION 1. Chapter 41 “Parking Authority” of the City Code of the City of Garfield is hereby repealed.

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____

Laura Borchers, RMC, CMR
Deputy Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: September 14, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-292**

**RESOLUTION BY: COUNCILMAN MASLAG
SECONDED BY: COUNCILMAN HERRERA**

**INTRODUCE ORDINANCE #2897
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER 1268 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED ‘AN ORDINANCE TO REGULATE TRAFFIC AND PARKING,’ MORE PARTICULARLY THE SECTION DESIGNATING STOP SIGN INTERSECTIONS

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in the City Hall on Tuesday, September 28, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk’s office be and is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____

Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2897**

AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER 1268 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED ‘AN ORDINANCE TO REGULATE TRAFFIC AND PARKING,’ MORE PARTICULARLY THE SECTION DESIGNATING STOP SIGN INTERSECTIONS

WHEREAS, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Amend and Revise Ordinance Number 1268 of the Code of the City of Garfield;

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, as follows:

SECTION 1. Ordinance Number 1268 of the City Code of the City of Garfield, hereby amended and revised as follows:

The intersection of Harrison Avenue and Frederick Street is hereby changed from a Two Way Stop Intersection to a Four Way Stop Intersection.

SECTION 2. Ordinance Number 1268 of the City Code of the City of Garfield, hereby amended and revised as follows:

The intersection of Gaston Avenue and Arnot Street is hereby changed from a Two Way Stop Intersection to a Three Way Stop Intersection.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. All other provisions of Ordinance Number 1268 of the Code of the City of Garfield are not further amended and remain in full force and effect.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____

Laura Borchers, RMC, CMR
Deputy Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: September 14, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-293**

**RESOLUTION BY: COUNCILWOMAN BANCH
SECONDED BY: COUNCILMAN HERRERA**

**INTRODUCE ORDINANCE #2898
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**AN ORDINANCE TO FIX THE SALARY, WAGES, AND COMPENSATION
OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD,
BERGEN COUNTY, NEW JERSEY**

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in the City Hall on Tuesday, September 28, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk's office be and is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2898**

AN ORDINANCE TO FIX THE SALARY, WAGES, AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY

WHEREAS, pursuant to N.J.S.A. 40A:9-165, the City must set salaries and state all compensation and benefits for non-contractual officers and employees, statutory employees and elected officials not directly subject to duly adopted collective bargaining agreements by separate ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

SECTION 1. The salary, wages, and compensation to be paid the following officers and employees of the City of Garfield, be and the same are hereby established as set forth as Exhibit A attached hereto.

SECTION 2. Longevity.

A. In addition to the foregoing compensation, all full-time officers and employees of the City of Garfield identified in this Ordinance, except for the Chief of Police, Sewer Water Facilities Manager, Assist. Water Supervisor, Assist. Water Superintendent, Superintendent/ Streets and Public Works, Supervisor of Streets and Public Works, Recreation Director, Assist. Municipal Parks Superintendent, hired on or before July 1, 1999 shall be entitled to longevity and compensation in the amount of:

- 4% of base salary for employment of not less than five (5) years through the end of the ninth (9th) year;
- 5% of base salary for employment beginning on the tenth (10th) year through the end of the fifteenth (15th) year;
- 6 % of base salary for employment beginning with the sixteenth (16th) year through the end of the nineteenth (19th) year;
- 7% base salary for employment beginning with the twentieth (20th) year and annually thereafter.

Employees identified in this Ordinance hired on or after July 1, 1999 shall not be eligible for longevity compensation.

SECTION 3. Fringe and Healthcare Benefits.

All full-time officers and employees of the City of Garfield identified in this Ordinance, except for the Chief of Police, Sewer Water Facilities Manager, Assist. Water Supervisor, Assist. Water Superintendent, Superintendent/Streets and Public Works, Supervisor of Streets and Public Works, Recreation Director, Assist. Municipal Parks Superintendent, shall be entitled to the same fringe benefits as set forth in the then-in-effect Collective Bargaining Agreement By and Between The City of Garfield and United Public Service Employees Union, including but not limited to the accrual of vacation and sick time.

The same health benefits shall also be provided subject to the contribution requirements set forth in the then-in-effect Collective Bargaining Agreement By and Between The City of Garfield and United Public Service Employees Union.

SECTION 4. Chief of Police Fringe Benefits.

Any person appointed and serving under the title of Chief of Police shall be entitled to and receive the same fringe benefits as set forth in the Collective Bargaining Agreement between Policemen's Benevolent Association, Local No. 46 and the City of Garfield effective January 1, 2018 through December 31, 2022, including but not limited to the accrual of vacation and sick time, but shall have no entitlement to overtime or compensatory time as Chief of Police; however, the Chief of Police shall retain any compensation of overtime he/she may have accrued as a police officer prior to their appointment as the Chief of Police. The same health benefits shall also be provided subject to the contribution requirements set forth in the Collective Bargaining Agreement between Policemen's Benevolent Association, Local No. 46 and the City of Garfield effective January 1, 2018 through December 31, 2022. .

SECTION 5. Sewer Water Facilities Manager, Assist. Water Supervisor, Assist. Water Superintendent, Superintendent/ Streets and Public Works, Supervisor of Streets and Public Works, Recreation Director, Assist. Municipal Parks Superintendent Fringe Benefits.

Any person employed and serving as Facilities Manager, Assist, Water Supervisor, Assist. Water Superintendent, Superintendent/Street and Public Works, Recreation Director, Assist. Municipal Parks Superintendent shall be entitled to the same fringe benefits as set forth in the then-in-effect Collective Bargaining Agreement By and Between The City of (Garfield Bergen County, N.J. and Teamsters Local Union No. 469, an Affiliate of the International Brotherhood of Teamsters, including but not limited to the accrual of vacation and sick time; excluding clothing allowance and any additional pay for endorsements, including but not limited to CDL and tanker endorsements. The same health benefits shall also be provided subject to the contribution requirements set forth in the then-in-effect Collective Bargaining Agreement By and Between The City of Garfield Bergen County, N.J. and Teamsters Local Union No. 469.

SECTION 6. Repealer.

All ordinances and parts of Ordinance in conflict with or inconsistent with this ordinance be and the same are hereby repealed but to the extent of such conflict or inconsistency.

SECTION 7. Effective Date. .

This Ordinance shall take effect twenty (20) days after the final passage, provided notice of same has been duly published all as required by law. This Ordinance shall have a retroactive effect to January 1, 2021 to the extent necessary.

ATTEST: _____

Laura Borchers, RMC, CMR
Deputy Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: September 14, 2021

Adopted:

	2021		2022		2023	
	Min	Max	Min	Max	Min	Max
Statutory						
Municipal Clerk	\$100,000	\$132,019	\$100,000	\$134,659	\$100,000	\$137,353
Chief Finance Officer	\$49,000	\$64,073	\$49,000	\$65,355	\$49,000	\$66,662
Chief Assessor	\$40,000	\$45,000	\$35,179	\$45,900	\$35,179	\$46,818
Municipal Tax Collector	\$65,000	\$91,134	\$65,000	\$92,957	\$65,000	\$94,816
Governing Body						
Council Member	\$7,531	\$8,152	\$7,531	\$8,315	\$7,531	\$8,481
City Manager's Office						
City Manager	\$92,000	\$221,804	\$92,000	\$226,240	\$92,000	\$230,765
Assistant City Manager	\$5,000	\$20,000	\$5,000	\$20,000	\$5,000	\$20,400
Assistant Affirmative Action EOO	\$1,200	\$1,463	\$1,200	\$1,492	\$1,200	\$1,522
Flood Plan Manager	\$3,000	\$7,000	\$3,000	\$7,140	\$3,000	\$7,283
Executive Secretary (Exec/ Confidential)	\$33,000	\$67,437	\$33,000	\$68,786	\$33,000	\$70,162
Others						
Attorney - BD of Adjustment	\$5,490	\$5,943	\$5,490	\$6,061	\$5,490	\$6,183
Secretary/Clerk - BD of Adjustment (effective 10/4/21)	\$6,000	\$8,019	\$6,000	\$8,180	\$6,000	\$8,343
Secretary – BD of Adjustment (effective until 10/1/21)	\$7,862	\$8,019	N/A	N/A	N/A	N/A
Clerk – BD of Adjustment (effective until 10/1/21)	\$2,336	\$2,383	N/A	N/A	N/A	N/A
City Engineer	\$29,374	\$155,00	\$29,374	\$158,100	\$29,374	\$161,262
City Attorney	\$71,000	\$76,853	\$71,000	\$78,390	\$71,000	\$79,958
Special Counsel - Labor	\$91,600	\$97,207	\$91,600	\$99,151	\$91,600	\$101,134
Attorney -Planning Board	\$6,774	\$7,913	\$6,774	\$8,071	\$6,774	\$8,223
Secretary/Clerk - Planning Board (effective 10/4/21)	\$6,000	\$6,000	\$6,000	\$6,120	\$6,000	\$6,242
Secretary – Planning Board (effective until 10/1/21)	\$2,721	\$2,776	N/A	N/A	N/A	N/A
Clerk – Planning Board (effective until 10/1/21)	\$7,189	\$7,333	N/A	N/A	N/A	N/A
Veterans Officer	\$3,821	\$4,136	\$3,821	\$4,219	\$3,821	\$4,303
Emergency Management Coordinator	\$5,000	\$5,000	\$5,000	\$5,100	\$5,000	\$5,202
Deputy Emergency Management Coordinator(s)	\$1,000	\$1,000	\$1,000	\$1,020	\$1,000	\$1,040

P/T Fire Inspectors	\$29.10	\$31.50	\$29.10	\$32.13	\$29.10	\$32.77
P/T Recreation Counselors	\$12.00	\$12.00	\$14.00	\$14.50	\$15.00	\$15.50
P/T Lunch Program Monitor	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00
P/T Recreation Teachers	\$22.53	\$23.00	\$22.53	\$23.46	\$21.23	\$23.93
Summer Teacher /Supervisor	\$22.53	\$22.53	\$25.00	\$25.00	\$25.00	\$25.50
Information Tech. Specialist	\$30,000	\$80,000	\$30,000	\$80,000	\$30,000	\$80,000
Finance Department						
Municipal Treasurer	\$14,159	\$17,491	\$14,159	\$17,841	\$14,159	\$18,198
QPA	\$10,000	\$11,951	\$10,000	\$12,190	\$10,000	\$12,434
Accounting Assistant	\$33,000	\$65,000	\$33,000	\$65,000	\$33,000	\$65,000
Confidential Finance Assistant	\$33,000	\$65,000	\$33,000	\$65,000	\$33,000	\$65,000
Building Department						
Bldg. Inspector/Code Enforcement Official	\$20,000	\$28,717	\$25,000	\$29,291	\$25,000	\$29,877
Bldg. Inspector / Zoning Officer – Garfield Code 341-59	\$15,000	\$17,230	\$15,000	\$17,574	\$15,000	\$17,926
P/T Construction Official	\$39.41	\$42.66	\$39.41	\$43.51	\$39.41	\$44.38
Building Sub-Code Official	\$15,000	\$17,230	\$15,000	\$17,574	\$15,000	\$17,926
P/T Plumbing Sub-Code Official	\$6,000	\$6,000	\$6,000	\$6,120	\$6,000	\$6,242
Plumbing Inspector	\$12,000	\$12,000	\$12,000	\$12,240	\$12,000	\$12,485
Elect. Sub-Code Official	\$15,000	\$17,230	\$15,000	\$17,574	\$15,000	\$17,926
Fire Protection Sub-Code Official	\$13,114	\$14,195	\$13,114	\$14,479	\$13,114	\$14,769
Fire Safety Official – Garfield Code 39-78-39-81	\$65,000	\$81,826	\$65,000	\$83,463	\$65,000	\$85,132
Municipal Court						
Municipal Magistrate	\$57,239	\$70,617	\$57,239	\$72,029	\$57,239	\$73,470
Muni. Court Administrator	\$65,000	\$105,221	\$65,000	\$107,326	\$65,000	\$109,472
Municipal Prosecutor	\$32,000	\$40,326	\$32,000	\$41,132	\$32,000	\$41,955
Public Defender	\$4,176	\$5,603	\$4,176	\$5,715	\$4,176	\$5,829
Alternate Municipal Prosecutor	\$275 per diem	\$275 per diem	\$275 per diem	\$275 per diem	\$275 per diem	\$275 per diem
Assistant Prosecutor	\$15,000	\$15,918	N/A	N/A	N/A	N/A
P/T Constable	\$27.06	\$31.98	\$27.06	\$32.62	\$27.06	\$33.27
Alternate Public Defender	\$50 per diem	\$50 per diem	\$60 per diem	\$60 per diem	\$65 per diem	\$65 per diem
Shared Service Court Administrator	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000

Department of Health						
Health Physician	\$10,000	\$20,000	\$10,000	\$20,400	\$10,000	\$20,808
Registrar	\$40,000	\$71,214	\$40,000	\$50,000	\$40,000	\$50,000
Police Personnel						
Crossing Guards	\$20.11	\$21.77	\$20.11	\$22.21	\$20.11	\$22.65
Police Chief	\$170,357	\$197,500	\$170,357	\$201,450	\$170,357	\$205,479
Water Dept.						
Sewer/Water Facilities Manager	\$100,000	\$120,000	\$100,000	\$122,400	\$100,000	\$124,848
Assist Water Supervisor	\$65,000	\$81,001	\$81,001	\$82,620	\$81,001	\$84,272
Assist Water Superintendent	\$70,000	\$86,937	\$83,805	\$88,675	\$83,805	\$90,449
Water Collector	\$9,000	\$9,805	\$9,000	\$10,001	\$9,000	\$10,201
DPW						
Superintendent/ Streets and Public Works	\$90,000	\$130,000	\$90,000	\$132,600	\$90,000	\$135,252
Supervisor of Streets and Public Works	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$71,400
Recreation						
Recreation Director	\$66,500	\$73,962	\$66,500	\$75,442	\$66,500	\$76,951
Assist Municipal Parks Superintendent	\$75,000	\$85,000	\$75,000	\$85,000	\$75,000	\$86,700
Unclassified						
Tax Assessing Aide	\$33,000	\$69,378	\$64,174	\$70,765	\$64,174	\$72,181
Part-time Employees	\$12.00	\$60.00	\$14.00	\$60.00	\$15.00	\$60.00
Deputy Clerk	\$70,000	\$70,000	\$70,000	\$71,400	\$70,000	\$72,828

EXHIBIT A

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-294**

RESOLUTION BY: COUNCILMAN MASLAG

SECONDED BY: COUNCILMAN HERRERA

INTRODUCE ORDINANCE #2899

FIRST READING

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO ADD CHAPTER 41 TO THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “PARKING AUTHORITY”

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in the City Hall on Tuesday, October 26, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk’s office be and is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____

Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2899**

AN ORDINANCE TO ADD CHAPTER 41 TO THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "PARKING AUTHORITY"

WHEREAS the Governing Body of Garfield believes it is in the best interest of the City of Garfield to add Chapter 41 "Parking Authority" to the City Code of the City of Garfield; and

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, as follows:

SECTION 1. Chapter 41 of the City Code of the City of Garfield, entitled "Parking Authority" is hereby added to read as follows:

§ 41-1. Establishment.

A body corporate and politic is hereby created pursuant to and in conformity with N.J.S.A. 40:11A-4 et seq., to be known as the "Parking Authority of the City of Garfield."

§ 41-2. Members; appointment; terms.

The Parking Authority shall consist of five persons serving as Commissioners of the Authority, who will be appointed by the Mayor and City Council. The terms of the first five Commissioners shall be staggered for one-, two-, three-, four- and five-year terms, respectively, from the date of their appointment. Thereafter, these Commissioners shall be appointed for five-year terms, except that all vacancies shall be filled for the unexpired term.

§ 41-3. Authority; commissioners; misconduct; removal.

- A. No commissioner of the Parking Authority may be an officer or employee of the City of Garfield; provided, however, that Mayor and City Council may appoint the City's Traffic Engineer or Chief of Police to the Parking Authority. A commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his services, but he shall be entitled to the necessary expenses, including traveling expenses incurred in the discharge of his duties. The powers of the Parking Authority shall be vested in the commissioners thereof in office from time to time. A majority shall constitute a quorum of the Parking Authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the Parking Authority upon a vote of the majority of the commissioners present, unless in any case the bylaws of the Parking Authority shall require a larger number. The Parking Authority shall select a chairman and a vice chairman from among its commissioners, and it may employ a secretary, technical experts and such other officers, agents, and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation. For such legal services as it may require, the Parking Authority may call upon any chief law officers of the City, as the case may be, or may employ its own counsel and legal staff. The Parking Authority may delegate to one or more of its agents or employees such powers and duties as it may deem proper.
- B. No commissioner or employee of the Parking Authority shall acquire any interest, direct or indirect, in any parking project or in any property included or planned to be included in the project, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any parking project. If any commissioner or employee of the Parking Authority owns or

controls an interest, direct or indirect, in any property included or planned to be included in a parking project, he shall immediately disclose the same, in writing, to the Parking Authority, and such disclosure shall be entered upon the minutes of the Parking Authority. Failure to disclose such interest shall constitute misconduct in office. Upon such disclosure, such commissioner or employee shall not participate in any action by the Parking Authority affecting such property.

- C. For inefficiency or neglect of duty or misconduct in office, a commissioner of the Parking Authority may be removed by the Mayor and City Council, but a commissioner shall be removed only after he shall have been given a copy of the charges at least 10 days prior to the hearing thereon and has had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the Clerk.

§ 41-4. Powers and purposes.

- A. The Garfield City Parking Authority shall constitute a public body corporate and politic and a political subdivision of the state with the same territorial boundaries as the boundaries of the City, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out and effectuate its corporate purposes and the purposes and provisions of N.J.S.A. 40:11A-4 et seq.
- B. The purposes of the Parking Authority shall be the construction, provision or operation of off-street parking projects within the City and shall include, to the extent authorized by the Mayor and City Council, the management and operation of on-street and other parking meters and related facilities and enforcement of the applicable law, ordinances and regulations as to the parking of vehicles in the City, and the consequent promotion of free movement of traffic and relief of traffic congestion on the streets of Garfield and improvement of conditions affecting the public safety and welfare therein.
- C. The Garfield City Parking Authority is hereby authorized, to serve as a redevelopment entity under the “Local Redevelopment and Housing Law”, to exercise all those public and essential governmental functions necessary or convenient to effectuate the purpose of the “Local Redevelopment Housing Law” including but not limited to; redevelopment powers within an area in need of redevelopment or in an area in need of rehabilitation in the City, subject to prior review and approval of the Local Finance Board pursuant to the “Local Authorities Fiscal Control Law.” When the Parking Authority is so designated by a Resolution of the City Council to act as a Redevelopment Entity, the Parking Authority Commissioners and Executive Director shall be subject to the course requirements of sections 46 and 47 “Local Redevelopment and Housing Law” (NJSA 40A: 12A-22.1)
- D. The Parking Authority is hereby authorized to plan, design, construct, reconstruct, enlarge, improve, manage, maintain, repair, operate and use such parking project or projects as in the opinion of the Authority will provide an effective and satisfactory method for promoting the purposes of the Authority.
- E. The Parking Authority shall have perpetual succession and have the following powers in addition to any others herein granted:
 - (1) To sue and be sued; to have a seal and to alter the same at pleasure; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Authority; and to make and from time to time amend and repeal bylaws, rules and regulations, not inconsistent with this its enabling legislation, to carry into effect the powers and purposes of the Authority.

- (2) To conduct research respecting parking and the possibility or necessity of fulfillment of public needs in relation thereto.
- (3) To acquire by gift, purchase, lease, devise or otherwise, and hold and use, and to construct, improve, maintain, operate, own, manage, or lease either in a capacity of lessor or lessee, parking projects and any land, franchise, property, real, personal or mixed, tangible or intangible, or any interest therein, meters, equipment or facilities to be devoted to the parking or storage of vehicles of any kind or which in the opinion of the Authority are necessary or useful and convenient in connection therewith or with the promotion of free movement of traffic.
- (4) Subject to the provisions of § 41-4E, to lease as lessor any real property, parking project or portion or portions of parking projects for any business, commercial or other use to any person for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon. Any such lease may be upon condition that the lessee shall or may construct or provide any building or buildings or other facilities on such real property, parking project or projects or portions thereof, including space for business, commercial or other uses, all upon such terms and conditions as may be agreed upon.
- (5) To sell, transfer and dispose of any property or interest therein at any time acquired by it upon such terms and conditions as it may determine, with or without public bidding.
- (6) To fix, alter, charge and collect rents, rates and other charges at reasonable rates to be determined exclusively by it, for the use of the facilities and projects of the authority and for all services sold, furnished or supplied directly or indirectly by the Authority through said facilities and projects, which shall, together with any grants, receipts, contributions or income from other sources, be sufficient to provide for the payment of the expenses of the Authority, repair, maintenance and operation of its facilities and projects, and payment of the principal of and interest on, and any premiums upon the redemption of, its bonds and other obligations, and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such bonds or other obligations.
- (7) To invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to the Authority's control.
- (8) To borrow money and accept grants from and to enter into contracts, leases or other transactions with the State of New Jersey, any federal agency, any person, or any municipality, county or other public body.
- (9) To mortgage, pledge, hypothecate or otherwise encumber all or any of its property or assets then existing or thereafter acquired or coming into existence, including real and personal property donated to it by a municipality or county.
- (10) To enter into contracts with the State of New Jersey or any municipality, county or governmental agency for the use of any project of the Authority.
- (11) To do and perform any acts and things authorized by N.J.S.A. 40:11A-4 et seq., through or by means of its own officers, agents and employees, or by contract with any person.

- (12) To enter into and perform any and all contracts, execute any and all instruments, and do and perform any and all acts and things necessary or useful and convenient for the purposes of the Authority or to carry out any of the powers expressly granted to it by N.J.S.A. 40:11A-4 et seq., or any other acts subject to P.L. 1971, c. 196, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).
- F. The Parking Authority shall not engage directly in the sale of gasoline or accessories for, or in the repair or other servicing of, automobiles and other motor vehicles, except in emergency, or shall engage directly in the sale of any commodity of trade or commerce, but the Authority may include in any parking project, and provide and lease as lessor, structures, buildings, space or accommodations (whether constructed by the Authority or by a lessee) for any business, commercial or other use, including the sale of gasoline or accessories for, or the repair or other servicing of, automobiles and other motor vehicles, if, in the opinion of the Authority, such inclusion, provision and proposed leasing is necessary to assist in defraying the expenses of the Authority and make possible the operation of the parking facilities of such project at reasonable rates and will increase the facilities for off-street parking which can be feasibly included, financed, constructed and operated as part of such project.
- G. The Commissioners of the Parking Authority shall exercise all of the powers and authority granted and subject to all the provisions N.J.S.A. 40:11A-4 et seq. The Parking Authority shall have the power to acquire property by eminent domain without the consent of the governing body of the City of Garfield.

§ 41-5. Parking Enforcement Officer.

The Parking Authority shall have the power to appoint Parking Enforcement Officers. As used in this chapter, a Parking Enforcement Officer means a person appointed pursuant to this act to exercise the power and authority described herein. Parking Enforcement Officers are not special law enforcement officers within the meaning of P.L. 1985, c. 439 (N.J.S.A. 40A:14-146.8 et seq.) and are not members of the Garfield Police Department. Parking Enforcement Officers are not eligible for membership in the Police and Firemen's Retirement System established pursuant to P.L. 1944, c. 255 (N.J.S.A. 43:16A-1 et seq.).

- A. Qualifications. No person may be appointed as a Parking Enforcement Officer unless the person:
- (1) Is a resident of this state during the term of appointment;
 - (2) Is able to read, write and speak the English language well and intelligently;
 - (3) Is of sound mind and in good health;
 - (4) Is of good moral character;
 - (5) Has not been convicted of any offense involving dishonesty or which would make him unfit to perform the duties of his office.
- B. Powers and duties.
- (1) The Parking Enforcement Officer shall enforce state, county, City and Parking Authority, statutes, ordinances and/or regulations related to the parking of vehicles within the City of Garfield. He or she shall possess the power and authority to:
 - (a) Issue a parking ticket for a parking offense, as those two terms are defined in the Parking Offenses Adjudication Act, P.L. 1985, c. 14 (N.J.S.A. 39:4-139.2 et seq.).
 - (b) Serve and execute all process for any parking offenses issuing out of the court having jurisdiction over the complaint.

- (c) Issue warnings for violations of any state, county, City and/or Parking Authority statutes, ordinances, resolutions and/or regulations related to the parking of vehicles within the City of Garfield.
 - (d) Cause any vehicle parked, stored, or abandoned in the City in violation of a statute, resolution, ordinance, or regulation to be towed away from the scene of the violation and to collect from the vehicle's owner or the owner's agent, on behalf of the City, the costs of the towing and subsequent storage of the vehicle before surrendering the vehicle to the owner or agent.
 - (e) Issue a complaint, summons, or parking ticket for the failure to abide by any parking regulation or parking restriction promulgated by the Parking Authority of the City of Garfield.
 - (f) Attend participate, testify and assist in the prosecution, if necessary, in any court proceedings relating to any actions taken by him or her.
 - (g) Inspect the conditions of parking meters or other parking regulating devices, and if necessary, report to the appropriate individual responsible for the necessary repairs or replacement.
- C. Fingerprinting. Every applicant for the position of Parking Enforcement Officer, appointed pursuant to this chapter, shall have fingerprints taken, which shall be filed with the Division of State Police and Federal Bureau of Investigation.
- D. Eligibility determination. Before any Parking Enforcement Officer is appointed pursuant to this chapter, the Chief of Police, or, in the absence of the Chief, other chief law enforcement officer of the City, shall ascertain the eligibility and qualifications of the applicant and report these determinations, in writing, to the Parking Authority.
- E. Firearms banned. No Parking Enforcement Officer may carry a firearm while engaged in the actual performance of the officer's official duties.
- F. Training course. No person appointed may commence his duties as a Parking Enforcement Officer unless that person has successfully completed a training course conducted or approved by the City or Parking Authority. The training requirements may be waived by the appointing authority for any person eligible to be appointed as a Parking Enforcement Officer under this chapter who has substantially equivalent training and background, as determined by the Chief of Police or, in his absence, other chief law enforcement officer of the City.

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____

Laura Borchers, RMC, CMR
Deputy Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: September 14, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-295**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**EMERGENCY APPROPRIATION IN ACCORDANCE WITH N.J.S.A. 40A:4-49 –
IMPROVEMENTS TO CITY BUILDINGS AND ACQUISITION OF VEHICLES AND
EQUIPMENT**

WHEREAS, an emergency has arisen with respect to the damage to various City owned buildings and loss of vehicles and equipment as a result of the Storm Ida; and

WHEREAS, no adequate provision was made in the 2021 budget for the unforeseen aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$1,500,000 and, three percent (3%) of the total operating appropriations in the Budget for the year 2021 is \$1,029,987.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Garfield, County of Bergen (not less than two-thirds of all members thereof affirmatively concurring) that an emergency appropriation be made for Improvements to City Buildings and Acquisition of Vehicles and Equipment in the amount of \$1,500,000 in accordance with N.J.S.A. 40A:4-49 that:

1. An emergency appropriation be and the same is hereby made for:
Current Fund
Improvements to City Buildings and
Acquisition of Vehicles and Equipment \$1,500,000
2. First said emergency appropriation shall be partially funded by a bond ordinance of the City and second with any remaining balance provided in full in 2022 budget.
3. That funds for the appropriation shall be provided from surplus funds on hand.
4. That two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services.
5. That the statement prepared by the Chief Financial Officer as required by the Local Finance Board has been filed with the Clerk and a copy thereof will be transmitted to the Director of the Division of Local Government Services.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-296**

RESOLUTION BY: DEPUTY MAYOR DELANEY

SECONDED BY: COUNCILMAN MASLAG

**AUTHORIZING APPLICATION TO LOCAL FINANCE BOARD FOR PARKING
AUTHORITY**

WHEREAS, the City of Garfield seeks to establish a parking authority; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-1 et seq. the “Local Authorities Fiscal Control Law” all authorities created by a municipality must have the approval of the Local Finance Board for the establishment of the authority; and

WHEREAS, the Governing Body seeks to authorize the auditors, City attorney and other City representatives as needed to file the application and to appear before the Local Finance Board in support of this application;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body does hereby authorize the filing of an application with the Local Finance Board for the approval for the establishment of the Parking Authority of the City of Garfield; and

BE IT FURTHER RESOLVED that the City auditor, attorney and other necessary City representatives be authorized to take all necessary action including appearing before the Local Finance Board for this application; and

BE IT FURTHER RESOLVED that a copy of the proposed Ordinance establishing the Parking Authority as well as this Resolution shall be forwarded to the Local Finance Board with their application.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____

Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-297**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**RESOLUTION COMBINING SEVERAL AUTHORIZATIONS OF BONDS INTO A
SINGLE ISSUE AND PRESCRIBING THE DETAILS AND BOND FORM THEREOF
FOR \$9,860,000 GENERAL IMPROVEMENT BONDS DATED OCTOBER 15, 2021**

WHEREAS, the bond ordinances hereinafter described have been duly adopted and it is necessary to provide for the issuance of the bonds authorized by such bond ordinances;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, in the County of Bergen, New Jersey (the "City"), as follows:

Section 1. There shall be issued at this time \$63,800 of the bonds authorized pursuant to Bond Ordinance No. 2769 adopted by the City Council of said City on September 26, 2017. The bonds are issued to finance the demolition and removal of former Fire Company No. 4 Firehouse in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 2. There shall be issued at this time \$60,000 of the bonds authorized pursuant to Bond Ordinance No. 2776 adopted by the City Council of said City on February 27, 2018. The bonds are issued to finance the acquisition of parking permit enforcement technology system equipment for the use of the Police Department in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 7 years computed from the date of such bonds.

Section 3. There shall be issued at this time \$23,800 of the bonds authorized pursuant to Bond Ordinance No. 2777 adopted by the City Council of said City on March 13, 2018. The bonds are issued to finance the installation of playground equipment at 20th Century Field in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 4. There shall be issued at this time \$88,054 of the bonds authorized pursuant to Bond Ordinance No. 2778 adopted by the City Council of said City on March 13, 2018. The bonds are issued to finance the installation of an elevator at the Garfield Public Library in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 5. There shall be issued at this time \$120,000 of the bonds authorized pursuant to Bond Ordinance No. 2785 adopted by the City Council of said City on May 15, 2018. The bonds are issued to finance the undertaking of the Tree Planting Program at various locations in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 6. There shall be issued at this time \$1,095,000 of the bonds authorized pursuant to Bond Ordinance No. 2787 adopted by the City Council of said City on June 26, 2018. The bonds are issued to finance the undertaking of the 2018 Comprehensive Infrastructure Improvement Program at various locations in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 7. There shall be issued at this time \$57,000 of the bonds authorized pursuant to Bond Ordinance No. 2788 adopted by the City Council of said City on June 26, 2018. The bonds are issued to finance the acquisition of a passenger bus in, by and for the City. The period of

usefulness of the purpose to be financed by such bond ordinance is a period of 5 years computed from the date of such bonds.

Section 8. There shall be issued at this time \$407,600 of the bonds authorized pursuant to Bond Ordinance No. 2794 adopted by the City Council of said City on October 23, 2018. The bonds are issued to finance the acquisition of a sewer jet vacuum machine for the use of the Department of Public Works ("DPW") in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 9. There shall be issued at this time \$238,000 of the bonds authorized pursuant to Bond Ordinance No. 2797 adopted by the City Council of said City on December 11, 2018. The bonds are issued to finance the undertaking of various improvements to Fire House No. 2 in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 10. There shall be issued at this time \$323,000 of the bonds authorized pursuant to Bond Ordinance No. 2798 adopted by the City Council of said City on December 11, 2018. The bonds are issued to finance the supplemental funding for the 2018 Comprehensive Infrastructure Improvement Program at various locations in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 11. There shall be issued at this time \$265,000 of the bonds authorized pursuant to Bond Ordinance No. 2799 adopted by the City Council of said City on December 11, 2018. The bonds are issued to finance the supplemental funding for the installation of an elevator at the Garfield Public Library in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 12. There shall be issued at this time \$923,000 of the bonds authorized pursuant to Bond Ordinance No. 2801 adopted by the City Council of said City on December 27, 2018. The bonds are issued to finance the supplemental funding for the demolition of the existing Police Station and the construction on such site of a new Police Station in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 30 years computed from the date of such bonds.

Section 13. There shall be issued at this time \$32,800 of the bonds authorized pursuant to Bond Ordinance No. 2804 adopted by the City Council of said City on February 12, 2019. The bonds are issued to finance the undertaking of various improvements to Fleischers Brook in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 14. There shall be issued at this time \$210,000 of the bonds authorized pursuant to Bond Ordinance No. 2813 adopted by the City Council of said City on June 11, 2019. The bonds are issued to finance the undertaking of the 2019 Road Improvement Program and barrier-free (ADA) improvements to City Hall in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 15. There shall be issued at this time \$450,000 of the bonds authorized pursuant to Bond Ordinance No. 2814 adopted by the City Council of said City on June 11, 2019. The bonds are issued to finance the undertaking of various improvements to Grand Street (from Pierre Avenue to River Drive) in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 16. There shall be issued at this time \$880,000 of the bonds authorized pursuant to Bond Ordinance No. 2818 adopted by the City Council of said City on August 13, 2019. The bonds are issued to finance the acquisition of a new pumper fire engine in, by and for the City.

The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 17. There shall be issued at this time \$1,178,000 of the bonds authorized pursuant to Bond Ordinance No. 2824 adopted by the City Council of said City on November 26, 2019. The bonds are issued to finance the supplemental funding for the undertaking of various improvements to Grand Street (from Pierre Avenue to River Drive); the acquisition of various vehicles for the use of the DPW; and the undertaking of sanitary sewer rehabilitation and related improvements at various locations, all in, by and for the City. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 22.70 years computed from the date of such bonds.

Section 18. There shall be issued at this time \$300,000 of the bonds authorized pursuant to Bond Ordinance No. 2825 adopted by the City Council of said City on November 26, 2019. The bonds are issued to finance the supplemental funding for the design, permitting and property acquisition phases of the River Drive Roadway and Park Improvement Project (Phase 2) in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 19. There shall be issued at this time \$1,140,000 of the bonds authorized pursuant to Bond Ordinance No. 2835 adopted by the City Council of said City on May 12, 2020. The bonds are issued to finance the undertaking of the 2020 Road Improvement Program in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 20. There shall be issued at this time \$267,112 of the bonds authorized pursuant to Bond Ordinance No. 2836 adopted by the City Council of said City on May 12, 2020. The bonds are issued to finance the replacement of the synthetic turf athletic field at LaFaso Field in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 21. There shall be issued at this time \$952,000 of the bonds authorized pursuant to Bond Ordinance No. 2844 adopted by the City Council of said City on September 22, 2020. The bonds are issued to finance the undertaking of various improvements to public buildings and facilities in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 22. There shall be issued at this time \$375,085 of the bonds authorized pursuant to Bond Ordinance No. 2845 adopted by the City Council of said City on September 22, 2020. The bonds are issued to finance the undertaking of the Monroe Street Roadway Improvement Project and the Midland Avenue Curb and Sidewalk Improvement Project in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 23. There shall be issued at this time \$111,000 of the bonds authorized pursuant to Bond Ordinance No. 2846 adopted by the City Council of said City on September 22, 2020. The bonds are issued to finance the installation of a special needs playground area at 20th Century Field in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 24. There shall be issued at this time \$27,000 of the bonds authorized pursuant to Bond Ordinance No. 2847 adopted by the City Council of said City on September 22, 2020. The bonds are issued to finance the undertaking of Neighborhood Preservation Program improvements along the Passaic Street corridor in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 25. There shall be issued at this time \$214,000 of the bonds authorized pursuant to Bond Ordinance No. 2851 adopted by the City Council of said City on October 27, 2020. The

bonds are issued to finance the supplemental funding for the demolition of the existing Police Station and the construction on such site of a new Police Station in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 30 years computed from the date of such bonds.

Section 26. There shall be issued at this time \$58,749 of the bonds authorized pursuant to Bond Ordinance No. 2852 adopted by the City Council of said City on October 27, 2020. The bonds are issued to finance the supplemental funding for the undertaking of the 2019 Road Improvement Program and barrier-free (ADA) improvements to City Hall in, by and for the City. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 27. The bonds authorized by said twenty-six bond ordinances described in Sections 1 to 26, inclusive, of this resolution shall be issued as a single issue of bonds, aggregating \$9,860,000 consisting of an issue of bonds of the denomination of \$5,000 each or any integral multiple thereof, numbered in the order of their maturity. In the event that the purchaser of the bonds elects to take bonds in the last maturity which are not in multiples of \$5,000, or, if there are any such bonds herein, such bonds shall be in the denomination of \$1,000 or any integral multiple thereof, numbered upwards from the last numbered \$5,000 bond. The average period of usefulness within which the bonds authorized by said twenty-six bond ordinances mature, according to the respective reasonable lives of the purposes to be financed, as determined in said ordinances taking into consideration the respective amounts of bonds authorized for the purposes to be financed as set forth in each of the bond ordinances hereinbefore set forth, is a period of 15.85 years computed from the date of such bonds. Said issue shall be payable in annual installments on October 15 in each year as follows:

\$365,000 in the year 2022,
\$375,000 in each of the years 2023 and 2024,
\$725,000 in each of the years 2025 to 2027, inclusive, and
\$730,000 in each of the years 2028 to 2036, inclusive.

Said bonds shall be designated "General Improvement Bonds". A portion of the indebtedness evidenced by each such bond shall be deemed to have been incurred for the purpose described in each bond ordinance authorizing bonds of the same maturity, and such portion of such indebtedness shall be in the same proportion to the principal amount of such bonds as the total amount of bonds of like maturity to be issued pursuant to such bond ordinance bears to the aggregate amount of bonds of like maturity to be issued pursuant to such twenty-six bond ordinances.

Section 28. All of said bonds shall be dated October 15, 2021, and shall bear interest from their date until their respective maturities at the rates per annum named in the proposal accepted. Such rates of interest shall be determined at the time said bonds are sold. Such interest shall be payable on each April 15 and October 15, commencing April 15, 2022 (each, an "Interest Payment Date"), in each year until maturity or prior redemption.

Section 29. The bonds maturing on or before October 15, 2028 are not subject to redemption prior to their stated maturities. The bonds maturing on or after October 15, 2029 are subject to redemption at the option of the City prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after October 15, 2028, upon notice as hereinafter set forth at the redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the City determines to optionally redeem a portion of the bonds prior to maturity, such bonds so redeemed shall be in such maturities as determined by the City, and within any maturity, by lot; *provided, however*, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting bonds for redemption, the Bond Registrar/Paying Agent (as hereinafter defined) shall treat each bond as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000.

Section 30. Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any bond subject to redemption is a part of a greater principal amount of the bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the bond not to be redeemed, a new bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the bond surrendered less the amount to be redeemed.

Section 31. The bonds will be issued in fully registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. The book-entry system will evidence ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the bonds will be payable at the times stated in Section 28 of this resolution, and principal of the bonds will be paid annually on October 15, as set forth in the maturity schedule hereinbefore stated, in immediately available funds to DTC or its nominee as registered owner of the bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Interest will be payable to owners of bonds shown on the records of DTC as of the last business day of the month preceding the month in which such Interest Payment Date occurs. The City will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the bonds, or (b) the City determines that continuation of the book-entry system of evidence and transfer of ownership of the bonds would adversely affect the interests of the beneficial owners of the bonds, the City will discontinue the book-entry system with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will authenticate and deliver replacement bonds in the form of fully registered certificates.

The principal of and the interest on the bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 32. The Interim Chief Financial Officer, pursuant to N.J.S.A. 40A:2-34, is hereby authorized to sell and award the bonds in accordance with the terms of the notice of sale, such terms to be determined by a resolution of the City Council to be hereafter adopted. The Interim Chief Financial Officer shall report in writing to the City Council at the next meeting after the sale of the bonds as to the principal amount, interest rates and maturities of the bonds sold, the price obtained and the name of the purchaser.

Section 33. All of said bonds shall be signed by the Mayor by manual or facsimile signature and by the Interim Chief Financial Officer by manual or facsimile signature and the corporate seal of said City shall be imprinted, affixed or reproduced thereon and such seal shall be attested by the City Clerk or Deputy City Clerk by manual or facsimile signature. The bonds will be authenticated by the manual signature of the Bond Registrar/Paying Agent.

Section 34. Each of said bonds shall be issued in substantially the following form:

[Form of Bond]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-__

\$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF BERGEN
CITY OF GARFIELD
GENERAL IMPROVEMENT BOND

INTEREST
RATE PER

ANNUM MATURITY DATE DATED DATE CUSIP

% OCTOBER 15, 20__ OCTOBER 15, 2021

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: -----DOLLARS

The City of Garfield, a municipal corporation of the State of New Jersey, located in the County of Bergen (hereinafter referred to as the "City"), for value received hereby acknowledges itself indebted and promises to pay to the REGISTERED OWNER named above, on the MATURITY DATE specified above, upon surrender hereof, the PRINCIPAL SUM stated above and to pay to the REGISTERED OWNER hereof interest thereon from the DATED DATE of this Bond until it shall mature at the INTEREST RATE PER ANNUM specified above, payable on each April 15 and October 15, commencing April 15, 2022 (each, an "Interest Payment Date"), of each year until maturity or prior redemption. The principal hereof is payable at the office of the Chief Financial Officer, City Hall, 111 Outwater Lane, Garfield, New Jersey 07026 (the "Bond Registrar/Paying Agent"). The interest so payable on any such Interest Payment Date will be paid to the person in whose name this Bond is registered on the record date for such interest, which shall be the last business day of the month preceding the month in which such Interest Payment Date occurs. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This Bond is one of an issue of Bonds of like date and tenor, except as to number, denomination, interest rate and maturity, issued pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended) and pursuant to twenty-six bond ordinances adopted by the City Council of the City on September 26, 2017 (Ord. No. 2769), February 27, 2018 (Ord. No. 2776), March 13, 2018 (two ordinances: Ord. Nos. 2777 and 2778), May 15, 2018 (Ord. No. 2785), June 26, 2018 (two ordinances: Ord. Nos. 2787 and 2788), October 23, 2018 (Ord. No. 2794), December 11, 2018 (three ordinances: Ord. Nos. 2797, 2798 and 2799), December 27, 2018 (Ord. No. 2801), February 12, 2019 (Ord. No. 2804), June 11, 2019 (two ordinances: Ord. Nos. 2813 and 2814), August 13, 2019 (Ord. No. 2818), November 26, 2019 (two ordinances: Ord. Nos. 2824 and 2825), May 12, 2020 (two ordinances: Ord. Nos. 2835 and 2836), September 22, 2020 (four ordinances: Ord. Nos. 2844, 2845, 2846 and 2847) and October 27, 2020 (two ordinances: Ord. Nos. 2851 and 2852) and resolutions adopted by the City Council of the City on September 14, 2021.

The Bonds maturing on or before October 15, 2028 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after October 15, 2029 are subject to redemption at the option of the City prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after October 15, 2028, upon notice as hereinafter set forth at the redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the City determines to optionally redeem a portion of the Bonds prior to maturity, such Bonds so redeemed shall be in such maturities as determined by the City, and within any maturity, by lot; *provided, however*, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

The Bond Registrar/Paying Agent shall keep at its office the books of the City for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the resolution upon the surrender hereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall deliver in exchange for this Bond a new bond or bonds, registered in the name of the transferee, of authorized denomination, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey, to exist, be performed or happen precedent to or in the issuance of this Bond exist, have been performed and have happened, and that this Bond together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution or statutes of said State.

The full faith and credit of the City are hereby pledged irrevocably to the punctual payment of the principal of and interest on this Bond in accordance with its terms. This Bond shall not be valid or become obligatory for any purpose until the Certification of Authentication hereon shall have been signed by the Bond Registrar/Paying Agent.

IN WITNESS WHEREOF, the City has caused this Bond to be signed by its Mayor by manual or facsimile signature and by its Interim Chief Financial Officer by manual or facsimile signature, and its seal to be impressed, affixed or reproduced hereon, and said seal to be attested by its City Clerk by manual or facsimile signature and this Bond to be dated October 15, 2021.

[SEAL]
Mayor

ATTEST:

City Clerk

Interim Chief Financial Officer

AUTHENTICATION DATE: OCTOBER 15, 2021

CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolutions and is one of the General Improvement Bonds dated October 15, 2021 of the City of Garfield, in the County of Bergen, State of New Jersey.

Interim Chief Financial Officer, as Bond Registrar/Paying Agent

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____,
the within Bond and irrevocably appoints _____,
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full
power of substitution in the premises.

Dated: _____

NOTICE: The signature to this
assignment must correspond with the
name as it appears upon the face of
the within Bond in every particular,
without any alteration whatsoever.

Signature Guaranteed:

[End of Form of Bond]

Section 35. Bonds may, upon surrender thereof at the office of the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent and, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any bond may be registered only upon the registration books of the City upon the surrender thereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall authenticate and deliver in exchange for such bond a new bond or bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which bonds shall be exchanged or the transfer of bonds shall be registered hereunder, the Bond Registrar/Paying Agent shall authenticate and deliver at the earliest practicable time bonds in accordance with the provisions of this resolution. All bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar/Paying Agent. The City or the Bond Registrar/Paying Agent may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of bonds under this resolution.

As to any bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such bond and the interest on any such bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including interest thereon, to the extent of the sum or sums so paid.

The City shall appoint such registrars, transfer agents, depositories or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of bonds within a reasonable time according to the then commercial standards and for the timely payment of principal and interest with respect to the bonds. The Interim Chief Financial Officer is hereby appointed registrar and paying agent for the Bonds (the "Bond Registrar/Paying Agent") subject to the right of the City Council to appoint another Bond Registrar/Paying Agent, and, as such, shall keep at the City Hall, 111 Outwater Lane, Garfield, New Jersey 07026, the books of the City for the registration, registration of transfer, exchange and payment of the bonds.

Section 36. The Mayor, the Interim Chief Financial Officer and the City Clerk or Deputy City Clerk are hereby authorized and directed to cause said bonds to be prepared and to execute and deliver said bonds upon payment of the purchase price therefor.

Section 37. This resolution shall take effect immediately upon its adoption.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-298**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**RESOLUTION AUTHORIZING THE PUBLICATION, PRINTING AND
DISTRIBUTION OF A NOTICE OF SALE AND THE PUBLICATION OF A SUMMARY
NOTICE OF SALE AND PRESCRIBING THE FORMS THEREOF FOR \$9,860,000
GENERAL IMPROVEMENT BONDS, DATED OCTOBER 15, 2021, APPROVING THE
PREPARATION, DISTRIBUTION AND EXECUTION OF A PRELIMINARY AND A
FINAL OFFICIAL STATEMENT FOR SUCH BONDS, UNDERTAKING TO PROVIDE
CONTINUING DISCLOSURE OF FINANCIAL INFORMATION, COVENANTING TO
COMPLY WITH THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AND
AUTHORIZING VARIOUS MATTERS IN CONNECTION WITH ELECTRONIC
BIDDING FOR THE BONDS**

WHEREAS, the City Council of the City of Garfield, in the County of Bergen, New Jersey (the "City"), desires to make further provision for the issuance of \$9,860,000 General Improvement Bonds (the "Bonds"), which are to be issued pursuant to bond ordinances heretofore adopted by the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, in the County of Bergen, as follows:

Section 1. A Notice of Sale (the "Full Notice of Sale") shall be published and printed and inserted in the Preliminary Official Statement (as hereinafter defined) for distribution in substantially the following form:

NOTICE OF SALE

CITY OF GARFIELD,
IN THE COUNTY OF BERGEN, NEW JERSEY
\$9,860,000 GENERAL IMPROVEMENT BONDS
(Book-Entry Only) (Callable) (Parity Bid)

dated
October 15, 2021

The City of Garfield, in the County of Bergen, a municipal corporation of the State of New Jersey (the "City"), hereby invites ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS for the purchase of its \$9,860,000 General Improvement Bonds, dated October 15, 2021 (the "Bonds").

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received and publicly opened and announced by the Interim Chief Financial Officer in the City Hall, 111 Outwater Lane, Garfield, New Jersey 07026, on October 6, 2021 at 11:00 o'clock A.M. (local time).

The Bonds comprise an issue of bonds payable on October 15 in each year as follows:

\$365,000 in the year 2022,
\$375,000 in each of the years 2023 and 2024,
\$725,000 in each of the years 2025 to 2027, inclusive, and
\$730,000 in each of the years 2028 to 2036, inclusive.

To the extent any instructions or directions set forth in PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

The Bonds shall be issued in registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC") and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any integral multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The successful bidder, as a condition to delivery of the Bonds, shall be required to deposit the bond certificates with DTC, registered in the name of Cede & Co., its nominee. Interest on the Bonds will be payable on each April 15 and October 15, commencing April 15, 2022 (each, an "Interest Payment Date"), in each year until maturity or prior redemption, and principal of the Bonds will be payable, at maturity, by payment of immediately available funds by the Bond Registrar/Paying Agent to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest to participants of DTC will be the responsibility of DTC. Transfer of principal and interest to beneficial owners will be the responsibility of the DTC participants and other nominees of the beneficial owners. The City will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will deliver replacement bonds in the form of fully registered certificates.

The Bonds maturing on or before October 15, 2028 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after October 15, 2029 are subject to redemption at the option of the City prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after October 15, 2028, upon notice as hereinafter set forth at the

redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the City determines to optionally redeem a portion of the Bonds prior to maturity, such Bonds so redeemed shall be in such maturities as determined by the City, and within any maturity, by lot; *provided, however*, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

The Bonds are general obligations of the City and are secured by a pledge of the full faith and credit of the City for the payment of the principal thereof and the interest thereon. The Bonds are payable, if not paid from other sources, from ad valorem taxes to be levied upon all the real property taxable within the City without limitation as to rate or amount.

Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds bid for, and the rate or rates named must be a multiple of 1/8th or 1/20th of one percentum (1%). The interest payable with respect to each Bond on any one date will be evidenced by a single rate of interest. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. If more than one rate of interest is named, no interest rate named for any maturity may be less than the interest rate named for any prior maturity. Each proposal submitted must be for all of the Bonds offered and the purchase price specified must not be less than \$9,860,000 nor more than \$9,958,600. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest net interest cost, such net interest cost shall be computed, as to each bid, by adding to the total principal amount of Bonds bid for (which shall be all of the Bonds offered) the total interest cost to maturity in accordance with such bid and by deducting therefrom the amount of premium, if any, bid, which premium shall not exceed \$98,600 (1% of par). No proposal shall be considered which offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest net interest cost to the City under any legally acceptable proposal. The City reserves its right to reject all bids, and any bid not complying with the material terms of this notice will be rejected. The City reserves the right to waive defects it deems non-material, in its sole discretion.

The successful bidder must pay accrued interest from the date of the Bonds to the date of delivery. No interest will be paid upon the deposit made by the successful bidder. The Bonds will be authenticated by the Interim Chief Financial Officer, acting as Bond Registrar/Paying Agent for the Bonds.

Sealed proposals should be addressed to the undersigned Interim Chief Financial Officer, and enclosed in a sealed envelope marked on the outside "Proposal for Bonds". A good faith deposit (the "Deposit") in the form of a cash wire or a certified, treasurer's or cashier's check drawn upon a bank or trust company in the amount of \$197,200, payable to the order of the CITY OF GARFIELD, is required for each bid to be considered. If a cash wire is used, the wire must be received by the City no later than 11:00 A.M. on October 6, 2021. If a cash wire is utilized, each bidder must notify the City of its intent to use such cash wire prior to 11:00 A.M. on October 6, 2021, and must provide proof of electronic transfer of such cash wire prior to 11:00 A.M. on October 6, 2021 (with return wiring instructions). Wire instructions for the City can be obtained by contacting the City's Bond Counsel (Steven Rogut or Thomas Bace (908) 931-1150). If a check is used, it must accompany the bid or be received by the undersigned Interim Chief Financial Officer prior to the opening of bids. Each bidder accepts responsibility

for delivering such cash wire or check on time and the City is not responsible for any cash wire or check that is not received on time. Checks or wires of unsuccessful bidders will be returned upon the award of the Bonds. No interest on the Deposit will accrue to the successful bidder. The Deposit will be applied in part payment for the Bonds or to partially secure the City from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder or rejection of all bids is expected to be made within two hours after opening of the bids, but such successful bidder may not withdraw its proposal until after 3:00 p.m. (local time) of the day of such bid-opening and then only if such award has not been made prior to the withdrawal.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Bonds in accordance with its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the successful bidder. CUSIP numbers must be communicated to Bond Counsel within 24 hours of the award of the Bonds in order to have the CUSIP numbers printed on the Bonds.

The Bonds shall be delivered on or about October 15, 2021 at the office of Rogut McCarthy LLC, Cranford, New Jersey ("Bond Counsel"), or at such other place as may be determined by the successful bidder and the City. **PAYMENT FOR THE BONDS AT THE TIME OF ORIGINAL ISSUANCE AND DELIVERY SHALL BE IN IMMEDIATELY AVAILABLE FUNDS.**

A preliminary Official Statement has been prepared and is available at www.i-DealProspectus.com or may be obtained from the undersigned, Interim Chief Financial Officer, City Hall, 111 Outwater Lane, Garfield, New Jersey 07026, Telephone No. (973) 340-2196. The preliminary Official Statement is deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12"), but is subject to (a) completion with certain pricing and other information to be made available by the successful bidder for the Bonds and (b) amendment. The preliminary Official Statement, as so revised, will constitute the "final official statement". By the submission of a bid for the Bonds, the successful bidder contracts for the receipt of a reasonable number of copies of the final Official Statement within seven business days of the award of the Bonds. In order to complete the final Official Statement, the successful bidder must furnish on behalf of the underwriters of the Bonds the following information to Bond Counsel and the City by facsimile transmission or overnight delivery received by Bond Counsel and the City within 24 hours after the award of the Bonds: (a) initial offering prices or yields (expressed as percentages), (b) selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars), (c) the identity of the underwriters if the successful bidder is part of a group or syndicate and (d) any other material information necessary for the final Official Statement, but not known to the City (such as the bidder's purchase of credit enhancement). It shall also be the obligation of the successful bidder to furnish to DTC an underwriter's questionnaire and the denominations of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

Concurrently with the delivery of the Bonds, the officials of the City who will have executed the final Official Statement will deliver to the purchaser of the Bonds a certificate stating that, to the best of their knowledge, the preliminary Official Statement did not as of its date and as of the sale date, and the final Official Statement did not as of its date and does not as of the date of delivery of the Bonds, contain an untrue statement of a material fact or omit to state a material fact required to be included therein for the purpose for which the preliminary Official Statement or the final Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, provided such certificate shall not include consideration of information supplied by, or which should have been supplied by, the successful bidder for the Bonds.

The City has agreed in its bond resolution adopted on September 14, 2021 to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12, (i) not later than seven months after the end of the City's fiscal year (presently December 31) certain annual

financial information and operating data, including audited financial statements for the preceding fiscal year (commencing with the fiscal year ending December 31, 2021), (ii) timely notice of the occurrence of certain material events with respect to the Bonds and financial obligations of the City and (iii) timely notice of a failure by the City to provide the required annual financial information on or before the date specified in (i) above.

The successful bidder's obligation to purchase the Bonds shall be conditioned upon its receiving, at or prior to the delivery of the Bonds, in form and substance reasonably satisfactory to the successful bidder, evidence that the City has made the continuing disclosure undertaking set forth above in a written agreement or contract for the benefit of the Bondholders and the beneficial owners of the Bonds.

The approving legal opinion of Bond Counsel will be furnished without cost to the purchaser. The preliminary Official Statement contains a discussion of the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), with respect to the exclusion from gross income for Federal income tax purposes of the interest on the Bonds and a description of the opinion of Bond Counsel with respect thereto. The City has covenanted, to the extent permitted by the Constitution and laws of the State of New Jersey, to comply with the provisions of the Code required to preserve the exclusion from gross income of interest on the Bonds for Federal income tax purposes. There will also be furnished the usual closing papers.

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall also be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

ISSUE PRICE DETERMINATION UNDER INTERNAL REVENUE CODE

If the "competitive sale requirements" are not satisfied, the winning bidder shall have the option to designate whether the "10% test" or the "hold-the-offering-price rule" shall apply to all the Bonds.

The following paragraphs contain the terms for the determination of issue price.

- (a) The winning bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications. A form of issue price certificate is available upon request to Steven L. Rogut, Bond Counsel, (908) 931-1150 or slr@rogutmccarthy.com.
- (b) The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:
 1. the City shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
 2. all bidders shall have an equal opportunity to bid;
 3. the City may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
 4. the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Bids will not be subject to cancellation in the

event that the competitive sale requirements are not satisfied. Unless the bidder intends to hold the Bonds for its own account with no intention to offer the Bonds to the public, the bidder, by submitting a bid, represents to the City that the bidder has an established industry reputation for underwriting new issuances of municipal bonds.

- (c) In the event that the competitive sale requirements are not satisfied, the City shall so advise the winning bidder. In that case, the winning bidder shall have the option to designate (by 5:00 P.M. Prevailing Time on the sale date) whether the issue price will be calculated upon either (a) the first price at which 10% of each maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis, or (b) a commitment to neither offer nor sell any of the Bonds of any maturity to any person at a price that is higher than the initial offering price to the public as of the sale date (the "initial offering price") during the holding period (as defined herein).
- (d) If the 10% test is selected, the winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds, and bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds. If the competitive sale requirements are not satisfied and the 10% test is selected, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the Closing Date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that maturity, provided that, the winning bidder's reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the City or Bond Counsel.
- (e) In the event the "hold-the-offering-price" method is selected, for each maturity of the Bonds the winning bidder shall (a) neither offer nor sell any of the Bonds of such maturity to any person at a price that is higher than the initial offering price for such maturity during the holding period for such maturity (the "hold-the-offering-price rule"), and (b) verify that any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any third-party distribution agreement shall contain the agreement of each broker-dealer who is a party to the third-party distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no underwriter (as defined below) shall offer or sell any maturity of the Bonds at a price that is higher than the respective initial offering price for that maturity of the Bonds during the holding period.
- (f) By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable, (A) to either comply with the hold-the-offering-price limitations stated herein or to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the winning bidder that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the winning bidder, depending upon whether the hold-the-offering-price method or the 10% test is selected by the winning bidder, (B) to promptly notify the winning bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below), and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public, and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution

agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to either comply with the hold-the-offering-price limitations stated herein or to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the winning bidder or such underwriter that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the winning bidder or such underwriter, depending upon whether the hold-the-offering-price method or the 10% test is selected by the winning bidder.

- (g) Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:
- (i) "public" means any person other than an underwriter or a related party,
 - (ii) "underwriter" means (A) any person that agrees pursuant to a written contract or otherwise with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public),
 - (iii) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other),
 - (iv) "sale date" means the date that the Bonds are awarded by the City to the winning bidder,
 - (v) "holding period" means, for each maturity of the Bonds, the period starting on the sale date and ending on the earlier of (i) the close of the fifth business day after the sale date, or (ii) the date on which the Underwriter has sold at least 10% of each maturity to the Public at prices that are no higher than the Initial Offering Price for such maturity, and
 - (vi) "maturity" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

By order of the City Council of the City of Garfield, in the County of Bergen, New Jersey.

Dated: September 23, 2021

/s/ Roy Riggiano
Interim Chief Financial Officer
City of Garfield
County of Bergen, New Jersey

Section 2. A Summary Notice of Sale ("Summary Notice of Sale") shall be published in substantially the following form:

SUMMARY NOTICE OF SALE

CITY OF GARFIELD,
IN THE COUNTY OF BERGEN, NEW JERSEY

\$9,860,000 GENERAL IMPROVEMENT BONDS
(Book-Entry Only) (Callable) (Parity Bid)

dated
October 15, 2021

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received by the Interim Chief Financial Officer of the City of Garfield, in the County of Bergen, New Jersey (the "City"), in the City Hall, 111 Outwater Lane, Garfield, New Jersey 07026, on

October 6, 2021

at 11:00 o'clock A.M. (local time) at which time they will be publicly opened and announced, for the purchase of the City's \$9,860,000 General Improvement Bonds dated October 15, 2021 and payable on October 15 in each year as follows:

\$365,000 in the year 2022,
\$375,000 in each of the years 2023 and 2024,
\$725,000 in each of the years 2025 to 2027, inclusive, and
\$730,000 in each of the years 2028 to 2036, inclusive.

The Bonds shall be issued in book-entry only form through the book-entry system operated by The Depository Trust Company, New York, New York. The Bonds are subject to redemption prior to maturity at the option of the City in accordance with the terms set forth in the Notice of Sale to be made available to interested persons (the "Notice of Sale"). The Notice of Sale and Proposal for Bonds should be reviewed by potential bidders for additional terms and conditions of the sale of the Bonds prior to bidding on the Bonds. To the extent any instructions or directions set forth in PARITY conflict with the Notice of Sale, the terms of the Notice of Sale shall control. For further information about PARITY, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

The Bonds will bear interest from their date at a rate or rates of interest in multiples of 1/8th or 1/20th of 1% per annum (same or ascending rates and only one rate per maturity) specified by the successful bidder payable on each April 15 and October 15, commencing April 15, 2022, in each year until maturity or prior redemption. The purchase price specified must not be less than \$9,860,000 nor more than \$9,958,600 (par plus a maximum 1% premium). Each proposal must be for all the Bonds offered. As further described in the Notice of Sale, bidders must, at the time of making their bids, make a wire transfer or deposit a certified, cashier's or treasurer's check drawn upon a bank or trust company in the amount of \$197,200 to the order of the City. The Bonds will be sold to the bidder specifying the lowest net interest cost in accordance with the terms set forth in the Notice of Sale. The City will furnish the Bonds and the approving legal opinion of Rogut McCarthy LLC, Cranford, New Jersey, Bond Counsel.

Copies of the Preliminary Official Statement, the Notice of Sale and the Proposal for Bonds are available at www.i-DealProspectus.com or by contacting the undersigned Interim Chief Financial Officer at the City Hall, 111 Outwater Lane, Garfield, New Jersey 07026, Telephone No. (973) 340-2196.

By order of the City Council of the City of Garfield, in the County of Bergen, New Jersey.

Dated: September 23, 2021
/s/ Roy Riggitano
Interim Chief Financial Officer
City of Garfield
County of Bergen, New Jersey

Section 3. The Deputy City Clerk is hereby authorized and directed to publish (A) the Summary Notice of Sale in THE BOND BUYER, which is a publication carrying municipal bond notices and devoted primarily to the subject of State and municipal bonds, and is published in New York City, and (B) the Full Notice of Sale in The Record, a newspaper of general circulation published in the County of Bergen and circulating in the City. Said Summary Notice of Sale and Full Notice of Sale shall be published in each publication not later than one week before the date of the sale of said Bonds.

Section 4. The preparation of and distribution to potential bidders for the Bonds of a Preliminary Official Statement to be dated on or about September 27, 2021 is hereby approved. Such Preliminary Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12").

Section 5. The preparation of an Official Statement in connection with the sale of the Bonds to be dated on or about October 6, 2021 is hereby approved. Such Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12.

Section 6. The execution of the Official Statement by the Interim Chief Financial Officer on behalf of the City, the distribution of same to the successful bidder and the successful bidder's subsequent distribution of the Official Statement to purchasers or prospective purchasers of the Bonds are hereby authorized.

Section 7. The City hereby agrees to undertake for the benefit of the Bondholders and the beneficial owners of the Bonds to provide certain secondary market disclosure information pursuant to Rule 15c2-12 to the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format, as prescribed by the MSRB. Specifically, the City will do the following for the benefit of the holders of the Bonds and the beneficial owners thereof:

(A) Not later than seven months after the end of the City's fiscal year (presently December 31), commencing with the report for the fiscal year ending December 31, 2021, provide or cause to be provided annual financial information with respect to the City consisting of (i) audited financial statements (or unaudited financial statements if audited financial statements are not then available by the date of filing, which audited financial statements will be delivered when and if available) of the City and (ii) certain financial information and operating data consisting of information concerning the City's debt, overlapping indebtedness, tax rate, levy and collection data, property valuation, budget and fund balance of the type contained under the headings "Budget Information", "Financial Information" and "Debt Information" in Appendix A of the Official Statement. The audited financial statements will be prepared in accordance with mandated State statutory accounting principles, as in effect from time to time. Audited financial statements if not available by the filing date will be submitted separately when available.

(B) Provide or cause to be provided in a timely manner not in excess of ten business days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Bonds or financial obligations of the City:

- (1) Principal or interest payment delinquencies;
- (2) Non-payment related default, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of Bondholders, if material;

- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property which secures the repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the City (the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City);
- (13) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a financial obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the City, any of which affect Bondholders, if material; and
- (16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the City, any of which reflect financial difficulties.

The City intends the words used in paragraphs (15) and (16) and the definition of "financial obligation" to have the meanings ascribed to them in SEC Release No. 34-83885 (August 20, 2018).

- (C) Provide or cause to be provided, in a timely manner, notice of a failure of the City to provide required annual financial information on or before the date specified above.

Section 8. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

Section 9. If the City fails to comply with the undertaking described above, any Bondholder or beneficial owner of the Bonds may pursue an action for specific performance to enforce the rights of all Bondholders and beneficial owners with respect to such undertaking; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds or any liability by the City for monetary damages. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all Bondholders and beneficial owners of the Bonds.

Section 10. The City reserves the right to terminate its obligation to provide annual financial information and notice of material events, as set forth above, if and when the City no longer remains an "obligated person" with respect to the Bonds within the meaning of Rule 15c2-12.

Section 11. The undertaking may be amended by the City from time to time, without the consent of the Bondholders or the beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, or change in the identity, nature, type of operation, or status of the City, which in the opinion of nationally recognized bond counsel complies with Rule 15c2-12 and does not, in such bond counsel's opinion, materially impair the interest of the Bondholders and the beneficial owners of the Bonds.

Section 12. The City hereby covenants, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Bonds be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended.

Section 13. The Mayor, the Interim Chief Financial Officer and the City Clerk or Deputy City Clerk are hereby authorized and directed to execute and deliver such other documents and to take such other action as they determine to be necessary or appropriate in order to effectuate the issuance and sale of the Bonds including, without limitation, the execution and delivery of all closing documents and certificates.

Section 14. The Interim Chief Financial Officer, the City Clerk or Deputy City Clerk, the Bond Counsel, the Auditor and other City officials and representatives are hereby authorized to take all necessary actions to allow for (A) the submission of electronic bids for the bonds, (B) the electronic posting of the Preliminary Official Statement, the full Notice of Sale and the bid form and (C) the submission by bidders of a wire transfer in lieu of a good faith check.

Section 15. This resolution shall take effect immediately upon its adoption.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____

Laura Borchers, RMC, CMR

Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-299**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH DMR ARCHITECTS FOR AN INVESTIGATIVE STUDY FOR 252
MIDLAND AVENUE AND 143 CLARK STREET TO DETERMINE IF IT MEETS THE
STATUTORY CRITERIA FOR AN AREA IN NEED OF REDEVELOPMENT, WITH
CONDEMNATION**

WHEREAS, the Mayor and Council of the City of Garfield believe that the property known as 252 Midland Avenue and 143 Clark Street, Block 58 Lots 1 & 3, may be an area in need of redevelopment, with condemnation; and

WHEREAS, the City of Garfield wishes to engage the services of a planning consultant to undertake an Investigative Study to make a determination for this purpose; and

WHEREAS, the City has received and reviewed a proposal for the said Investigative Study from DMR Architects in the amount of \$13,180.00, of which the City deems reasonable;

NOW, THEREFORE, BE IT RESOLVED that the City Manager be and is hereby authorized to enter into an agreement with DMR Architects, in accordance with the submitted proposal, in order to obtain the said investigative study.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Roy Riggitano, Interim Chief Financial Officer

September 13, 2021
Dated

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-300**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH DMR ARCHITECTS FOR AN INVESTIGATIVE STUDY FOR 69
HEPWORTH PLACE TO DETERMINE IF IT MEETS THE STATUTORY CRITERIA
FOR AN AREA IN NEED OF REDEVELOPMENT, NON-CONDEMNATION**

WHEREAS, the Mayor and Council of the City of Garfield believe that the property known as 69 Hepworth Place, Block 34.02 Lot 28, may be an area in need of redevelopment, non-condemnation; and

WHEREAS, the City of Garfield wishes to engage the services of a planning consultant to undertake an Investigative Study to make a determination for this purpose; and

WHEREAS, the City has received and reviewed a proposal for the said Investigative Study from DMR Architects in the amount of \$11,580.00, of which the City deems reasonable;

NOW, THEREFORE, BE IT RESOLVED that the City Manager be and is hereby authorized to enter into an agreement with DMR Architects, in accordance with the submitted proposal, in order to obtain the said investigative study.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Roy Riggitano, Interim Chief Financial Officer

September 13, 2021
Dated

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-301**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH DMR ARCHITECTS FOR AN INVESTIGATIVE STUDY FOR 94,
100, & 104 PASSAIC STREET TO DETERMINE IF IT MEETS THE STATUTORY
CRITERIA FOR AN AREA IN NEED OF REDEVELOPMENT, NON-
CONDEMNATION**

WHEREAS, the Mayor and Council of the City of Garfield believe that the property known as 94, 100, & 104 Passaic Street, Block 14.02 Lots 1, 4.01, 4.02, 9, & 10, may be an area in need of redevelopment, non-condemnation; and

WHEREAS, the City of Garfield wishes to engage the services of a planning consultant to undertake an Investigative Study to make a determination for this purpose; and

WHEREAS, the City has received and reviewed a proposal for the said Investigative Study from DMR Architects in the amount of \$14,780.00, of which the City deems reasonable;

NOW, THEREFORE, BE IT RESOLVED that the City Manager be and is hereby authorized to enter into an agreement with DMR Architects, in accordance with the submitted proposal, in order to obtain the said investigative study.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Roy Riggitano, Interim Chief Financial Officer

September 13, 2021
Dated

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-302**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY DETERMINING THAT THE PROPERTY GENERALLY KNOWN AS 28 WALNUT STREET, ALSO KNOWN AS BLOCK 119.03, LOT 36 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD QUALIFY AND IS DETERMINED AS AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A NON-CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Garfield (the “City”) has identified certain Property, located at 28 Walnut Street, also known as Block 119.03, Lot 36 as delineated on the tax map attached hereto and made part of this resolution (the “Property”), to be considered for designation as an area “in need of redevelopment”, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the Planning Board of a given municipality to undertake a preliminary study to determine whether the Property meets the criteria for determining as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, on January 26, 2021, the City adopted a Resolution No. 21-036, authorizing and directing the City Planning Board (the “Board”) to examine whether the Property can be determined to be an area in need of redevelopment (specifically a non-condemnation redevelopment area) and that the City will not have the right to exercise the use of eminent domain; and

WHEREAS, the City hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area"); and

WHEREAS, the Board conducted a public hearing on July 22, 2021 to determine whether or not the Property may be designated as a Non-Condensation Redevelopment, pursuant to the criteria set forth in the Redevelopment Law and the public was provided the opportunity to appear and provide testimony and comments; and

WHEREAS, in advance of the public hearings held by the Board, the Board met the requirements of Redevelopment Law, by providing notice to all persons interested or who would be affected by a determination that the Property is a Non-Condensation Redevelopment Area, which notice specifically stated that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain; and

WHEREAS, a map showing the boundaries and the location of the Property, as well as the Preliminary Investigation for Determination of an Area in Need of Redevelopment prepared by Gabriel Bailer, PP, AICP DMR Architects, dated May 2021, (the “Bailer Report”) was considered by the Board at the hearing and the Bailer Report and findings therein were incorporated into the record; and

WHEREAS, the Board recommended that the Property be determined as a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law, based on its preliminary investigation and the factual findings made by the Board, including the Bailer Report and the testimony presented at the hearing by Gabriel Bailer, PP, AICP, a licensed professional planner, who signed and prepared the Bailer Report;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Garfield accepts the findings and recommendations of the Board as made at a public hearing held on July 22, 2021 as supported by the Bailer Report of the Property and the testimony of Gabriel Bailer, PP, AICP, a licensed professional planner and as further set forth in the Planning Board resolution PB-06-2021, adopted on August 19, 2021 and all are incorporated herein by reference and determines that the Property located at 28 Walnut Street, also known as Block 119.03, Lot 36, referred to herein as the Property, meets the criteria and qualifies as an “area in need of redevelopment” and which shall be a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law; and

BE IT FURTHER RESOLVED that the City hereby states that any Non-Condensation Redevelopment Area designation shall authorize the municipality to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the use of eminent domain; and

BE IT FURTHER RESOLVED that the City Council hereby advises that any Property owner wishing to challenge the designation of the Property as a Non-Condensation Redevelopment Area must file a complaint in the Superior Court within 45 days of the adoption of that resolution; and

BE IT FURTHER RESOLVED that within ten (10) days of the adoption of this Resolution, the City Clerk shall serve a notice of the determination, including a copy of this Resolution, upon the last owner of each of the Property according to the assessment records of the City, which notice shall be in accordance with the requirements set forth in the Redevelopment Law; and

BE IT FURTHER RESOLVED that upon adoption of this resolution, the City Clerk shall transmit a copy of this resolution to the Commissioner of Community Affairs for the State of New Jersey for review pursuant to N.J.S.A. 40A:12A-6.b.(5); and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-303**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY DETERMINING THAT THE PROPERTIES GENERALLY KNOWN AS 30-38 PLAUDERVILLE AVENUE, ALSO KNOWN AS BLOCK 147.02, LOTS 1, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD QUALIFY AND IS DETERMINED AS AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A NON-CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Garfield (the “City”) has identified certain Properties, located at 30-38 Plauderville Avenue, also known as Block 147.02, Lots 1, 5 and 7 as delineated on the tax map attached hereto and made part of this resolution (the “Properties”), to be considered for designation as an area “in need of redevelopment”, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the Planning Board of a given municipality to undertake a preliminary study to determine whether the Properties meets the criteria for determining as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, on January 26, 2021, the City adopted a Resolution No. 21-038, authorizing and directing the City Planning Board (the “Board”) to examine whether the Properties can be determined to be an area in need of redevelopment (specifically a non-condemnation redevelopment area) and that the City will not have the right to exercise the use of eminent domain; and

WHEREAS, the City hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area"); and

WHEREAS, the Board conducted a public hearing on July 22, 2021 to determine whether or not the Properties may be designated as a Non-Condensation Redevelopment, pursuant to the criteria set forth in the Redevelopment Law and the public was provided the opportunity to appear and provide testimony and comments; and

WHEREAS, in advance of the public hearings held by the Board, the Board met the requirements of Redevelopment Law, by providing notice to all persons interested or who would be affected by a determination that the Properties is a Non-Condensation Redevelopment Area, which notice specifically stated that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain; and

WHEREAS, a map showing the boundaries and the location of the Properties, as well as the Preliminary Investigation for Determination of an Area in Need of Redevelopment prepared by Gabriel Bailer, PP, AICP DMR Architects, dated May 2021, (the “Bailer Report”) was considered by the Board at the hearing and the Bailer Report and findings therein were incorporated into the record; and

WHEREAS, the Board recommended that the Properties be determined as a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law, based on its preliminary investigation and the factual findings made by the Board, including the Bailer Report and the testimony presented at the hearing by Gabriel Bailer, PP, AICP, a licensed professional planner, who signed and prepared the Bailer Report;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Garfield accepts the findings and recommendations of the Board as made at a public hearing held on July 22, 2021 as supported by the Bailer Report of the Properties and the testimony of Gabriel Bailer, PP, AICP, a licensed professional planner and as further set forth in the Planning Board resolution PB-07-2021, adopted on August 19, 2021 and all are incorporated herein by reference and determines that the Properties located at 30-38 Plauderville Avenue, also known as Block 147.02, Lots 1, 5 and 7, referred to herein as the Properties, meets the criteria and qualifies as an “area in need of redevelopment” and which shall be a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law; and

BE IT FURTHER RESOLVED that the City hereby states that any Non-Condensation Redevelopment Area designation shall authorize the municipality to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the use of eminent domain; and

BE IT FURTHER RESOLVED that the City Council hereby advises that any Properties owner wishing to challenge the designation of the Properties as a Non-Condensation Redevelopment Area must file a complaint in the Superior Court within 45 days of the adoption of that resolution; and

BE IT FURTHER RESOLVED that within ten (10) days of the adoption of this Resolution, the City Clerk shall serve a notice of the determination, including a copy of this Resolution, upon the last owner of each of the Properties according to the assessment records of the City, which notice shall be in accordance with the requirements set forth in the Redevelopment Law; and

BE IT FURTHER RESOLVED that upon adoption of this resolution, the City Clerk shall transmit a copy of this resolution to the Commissioner of Community Affairs for the State of New Jersey for review pursuant to N.J.S.A. 40A:12A-6.b.(5); and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-304**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH DMR ARCHITECTS TO PREPARE A REDEVELOPMENT PLAN
FOR 30-38 PLAUDERVILLE AVENUE PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW, N.J.S.A.40A:12A-1 ET SEQ.**

WHEREAS, there exists for the City of Garfield (the “City”), a need for the services of a firm specializing in planning consulting services to prepare a redevelopment plan for 30-38 Plauderville Avenue, Block 147.02, Lots 1, 5, & 7) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

WHEREAS, DMR Architects has submitted a proposal, dated August 17, 2021, to prepare the redevelopment plan for said area, a copy of the proposal is on file in the office of the City Clerk; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield that:

1. The City Manager is hereby authorized and directed to execute for the City, subject to the availability of funds, a professional services contract with DMR Architects to provide services in accordance with its proposal, which shall remain on file in the Clerk’s office and available for public inspection.
2. That this contract shall be in an amount not to exceed a total of \$15,980.00 payable upon completion of the tasks as outlined in the proposal.
3. This agreement is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) because it is a recognized profession, licensed and regulated by law, the performance of which services requires knowledge of an advanced type pursuant to N.J.S.A. 40A:11-2 (6).
4. A notice of this action shall be printed in the Legal Newspaper of the City as required by law within ten (10) days of its passage.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Roy Riggitano, Interim Chief Financial Officer

September 13, 2021

Dated

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-305**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH DMR ARCHITECTS TO PREPARE A REDEVELOPMENT PLAN
FOR 933 RIVER DRIVE PURSUANT TO THE LOCAL REDEVELOPMENT AND
HOUSING LAW, N.J.S.A.40A:12A-1 ET SEQ.**

WHEREAS, there exists for the City of Garfield (the “City”), a need for the services of a firm specializing in planning consulting services to prepare a redevelopment plan for 933 River Drive, Block 140, Lots 91.01 & 100.01) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

WHEREAS, DMR Architects has submitted a proposal, dated August 17, 2021, to prepare the redevelopment plan for said area, a copy of the proposal is on file in the office of the City Clerk; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield that:

1. The City Manager is hereby authorized and directed to execute for the City, subject to the availability of funds, a professional services contract with DMR Architects to provide services in accordance with its proposal, which shall remain on file in the Clerk’s office and available for public inspection.
2. That this contract shall be in an amount not to exceed a total of \$14,260.00 payable upon completion of the tasks as outlined in the proposal.
3. This agreement is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) because it is a recognized profession, licensed and regulated by law, the performance of which services requires knowledge of an advanced type pursuant to N.J.S.A. 40A:11-2 (6).
4. A notice of this action shall be printed in the Legal Newspaper of the City as required by law within ten (10) days of its passage.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Roy Riggitano, Interim Chief Financial Officer

September 13, 2021

Dated

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____
Laura Borchers, RMC, CMR
Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-306**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN MASLAG**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
IMPROVEMENTS ALONG MIDLAND AVENUE**

WHEREAS, the City of Garfield, County of Bergen, State of New Jersey desires to apply to the New Jersey Department of Transportation for grant funding under the Safe Routes to School Program; and

WHEREAS, the Midland Avenue Improvement Project meets all the criteria necessary to receive funding under the Safe Routes to School Program; and

WHEREAS, the Midland Avenue Improvement Project will enable and encourage children, including those with disabilities, to walk and bicycle to school and will make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy, active lifestyle from an early age; and

WHEREAS, the City of Garfield agrees to assume a commitment of maintenance of the project after construction is completed; and

WHEREAS, responsibilities for administering the proposed project in accord with federal and state guidelines (to be known as the Responsible Charge) will be City Manager Erin Delaney, a full-time employee of the City of Garfield; and

WHEREAS, the City of Garfield fully supports the proposed Safe Routes to School project;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk of the City of Garfield, State of New Jersey, authorizes the City Manager to submit an electronic grant application identified as "SRS-2022-Midland Avenue Improvement Project-00037" to the New Jersey Department of Transportation under the Safe Routes to School Program on behalf of the City of Garfield; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Garfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____

Laura Borchers, RMC, CMR

Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR
Deputy Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-307**

RESOLUTION BY: DEPUTY MAYOR DELANEY

SECONDED BY: COUNCILMAN MASLAG

RESOLUTION TO APPROVE THE CONSENT AGENDA

BE IT RESOLVED, by the Mayor and Council of the City of Garfield that the actions noted in the Consent Agenda, Resolutions R-21-295 through R-21-307 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____

Laura Borchers, RMC, CMR

Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney	X			
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR

Deputy Clerk

Dated

PUBLIC COMMENT

Mayor Rigoglioso opened the floor for public comment. No one wished to be heard.

EXECUTIVE SESSION

A motion was made by Councilwoman Banch and seconded by Councilman Herrera to enter into Executive Session. Motion carried unanimously

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Personnel

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE BE, IT RESOLVED that the public be excluded from this meeting.

A motion was made by Deputy Mayor Delaney and seconded by Councilwoman Banch to return to the public portion.

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-308**

RESOLUTION BY: COUNCILMAN MASLAG

SECONDED BY: COUNCILMAN HERRERA

RESOLUTION TO APPOINT CITY CLERK

WHEREAS, Erin N. Delaney has obtained all the necessary certifications to serve as City Clerk; and

WHEREAS, Erin N. Delaney is uniquely qualified to serve as Garfield City Clerk, having served the City as a Councilperson, and currently serving the City as City Manager;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that Erin N. Delaney is hereby appointed as City Clerk of the City of Garfield, for a three (3) year term beginning September 14, 2021; and

BE IT FURTHER RESOLVED that Ms. Delaney's annual salary shall be set at the minimum salary as set forth in the City salary guide.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Roy Riggitano, Interim Chief Financial Officer

September 13, 2021

Dated

APPROVED: September 14, 2021

Richard Rigoglioso, Mayor

ATTEST: _____

Laura Borchers, RMC, CMR

Deputy Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch	X			
Delaney			X	
Rigoglioso	X			

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 14th day of September 2021. Signed and sealed before me.

Laura Borchers, RMC, CMR

Deputy Clerk

Dated

ADJOURNMENT

A motion was made by Councilwoman Banch and seconded by Councilman Maslag to adjourn.
Motion carried unanimously.

Respectfully submitted,

Erin Delaney, MPA, RMC
City Manager/City Clerk

*These meeting minutes were approved at the September 28, 2021 Regular meeting of the Mayor
& Council.*

**WORK SESSION MEETING
OF THE
CITY OF GARFIELD MAYOR AND COUNCIL
September 14, 2021
6:00P.M. – Following Special Meeting**

The Work Session Meeting of the Garfield Mayor and Council for September 14, 2021 was called to order by City Manager/City Clerk Erin Delaney at 6:50PM. The Statement of Compliance was read.

Councilmembers Maslag, Herrera, & Banch, Deputy Mayor Delaney, and Mayor Rigoglioso, were present. Also present were City Manager/City Clerk Erin Delaney, City Attorneys Robert Ferraro & John Lavin, Interim Chief Financial Officer Roy Riggitano, and City Engineers Kevin Boyer & Kevin Boswell.

Whereas Chapter 231 of the Public Laws of the State of New Jersey requires at the commencement of every meeting a Statement of Compliance be read.

Now, therefore be advised, that the meeting requirements for this meeting have been met by publishing an annual notice in The Record and Herald News of Woodland Park and by posting such notice in the office of the City Clerk as well as in a public place within the Municipal Building and by notifying interested citizens. Notice was published on January 7, 2021.

Work Meeting Agenda Items:

Reports of the Cabinet:

2020 Audit and Corrective Action Plan:

Interim CFO Roy Riggitano reviewed the 2020 Audit prepared by Auditor Dieter Lerch and his firm. He discussed the audit findings/recommendations and detailed the Corrective Action Plan, all of which will be on the agenda for approval at the September 28, 2021 Regular Meeting of the Mayor and Council.

Boswell Engineering:

Kevin Boswell advised that the City received an extension until March 2022 for their bikeway grant on River Drive. He stated that they are currently working on the design, which will go out to bid by the end of this year with the work to begin in 2022. Mr. Boswell was confident that the City would be breaking ground for Phase II of the River Walk by September of 2022. He then went on to provide an update regarding the City's water system. Mr. Boswell noted that both he and City Manager Delaney coordinated a meeting with Elmwood Park regarding site plans for their wellfield located in Elmwood Park, of which they secured the approval to not have to go the route of site planning review. However, though there will not be a need for site plan approval, the Borough may request that a presentation be made. Mr. Boswell shared that though they did not get a quote yet from Calgon Carbon for the units to be installed, he recommends that the City order them as soon as possible due to the current manufacturing back log and the fact that the units will be in high demand due to the new State standards. Deputy Mayor Delaney questioned if the City has ARP funding secured yet, of which Mr. Riggitano answered that the City has half of the funding currently and the remainder will follow in 2022.

Joseph D'Angeli – Bat Cave:

Mayor Rigoglioso recognized Joseph D'Angeli whose local business is located on Midland Avenue in Garfield, called the Bat Cave Wild Conservation Center. Mr. D'Angeli raised concerns regarding a new owner purchasing the property of which his lease is currently located. He stated that he invested a significant amount of money into the property and is disappointed that the new owner, Snowball Development, does not have plans to continue their lease. Mr. D'Angeli stated that he has since obtained a lawyer and would appreciate the support of the City and Mayor & Council. The Governing Body said that they would support the Bat Cave in any way that they can, whether by letter of support or via resolution. City Attorney Ferraro stated that he would attempt to get in contact with the lawyer of Snowball Development as well as Mr. D'Angeli's attorney.

Reports of the Cabinet (continued):

Colliers Engineering:

Kevin Boyer provided an update regarding the 2021 Road Program and Basketball Court behind Fire Company #3 as both projects are currently out to bid. He shared that they will have recommendation letters for the September 28th Regular meeting to be awarded. In regard to the Malcolm Avenue basketball hoops, Mr. Boyer stated that he will get quotes for the hoop installation. Lastly, he noted that there is a manufacturing delay with the playground equipment for Jewell Street park and that it is recommended that delivery be held until the Spring as the City does not have a location to store the equipment over the Winter.

Fire Company No. 5 Requests:

Members from Fire Company No. 5 were present and made a request to the Governing Body for authorization to begin research for a new fire truck as theirs is currently 21 years old. They noted that the research process takes a few months and that the billing time frame is about another year which would bring the truck's age to 22-23 years old. The members addressed questions from the Mayor and Council. Continuing on with their conversation, they also inquired about investing in two trailers for their HAZMAT team, which would include basic heat and electric but no air conditioning. The members said that the old truck could also be stored there should the City wish to keep it. The Governing Body, ultimately, gave the green light for researching a new truck but advised that the City has recently incurred unexpected finances, such as the DPW building, which would be a priority over the trailers.

Len Bier – Parking Authority Update:

Len Bier provided a brief update regarding his investigation of a City parking garage. He affirmed that the best location would be on Passaic Street near the train station but that no specific area has been determined yet. Mr. Bier spoke on the establishment of a Parking Authority. The City previously adopted an ordinance forming such an authority but never went through the process of obtaining approval from the Local Finance Board. Therefore, that ordinance needed to be repealed via ordinance and a new ordinance creating an authority needed to be introduced, both of which were done at the special meeting prior to the work session. The City would not go in front of the Local Finance Board for approval at their October meeting and, if approved, can adopt the new ordinance in November. Mr. Bier also detailed parking authority statutes, public parking as a resource, and other communities that have been successful with the same concept.

Executive Session:

A motion was made by Councilwoman Banch and seconded by Councilman Herrera to enter into Executive Session. Motion carried by the members present.

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Personnel

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

A motion was made by Councilwoman Banch and seconded by Deputy Mayor Delaney to return to the public portion. Motion carried by the members present.

Report of the City Manager:

Resolutions:

1. **No Left Turn Concurring Resolution – Midland Avenue/Plauderville Avenue** – A resolution will be placed on the September 28th, 2021 Regular Meeting of the Mayor and Council agenda.
2. **River Drive Phase I Pavers – Angels Landscaping** – A resolution will be placed on the September 28th, 2021 Regular Meeting of the Mayor and Council agenda.
3. **Garfield Health Center – Building Assessment** – A resolution will be placed on the September 28th, 2021 Regular Meeting of the Mayor and Council agenda awarding the project to Dan Dressel.

Ordinances:

1. **Food Truck Ordinance** – The Mayor and Council agreed that the food truck applications would be done on a yearly basis in January with a limit of 4 licenses to be awarded on a first come first serve basis. The provided City Attorney Ferraro with guidance on the number of licenses and times of operation. The ordinance will be introduced at the September 28th, 2021 Regular Meeting of the Mayor and Council.
2. **BYOB Ordinance** – City Manager/City Clerk Delaney suggested that the City's BYOB ordinance be amended to remove the application process as it would be difficult to regulate and maintain. The ordinance will be introduced at the September 28th, 2021 Regular Meeting of the Mayor and Council.
3. **Liquor License Fees** – City Manager/City Clerk Delaney advised that the City's fees for retail and consumption liquor licenses are low compared to other municipalities. She shared that they can only be increased up to 20% per year and suggested that the City go up to \$1,080.00 per establishment as opposed to the current \$900.00 fee. The ordinance will be introduced at the September 28th, 2021 Regular Meeting of the Mayor and Council.

Discussion items:

1. **Garfield Fire Houses – AC/Heating Maintenance** – After reviewing the expenses incurred over the years for repairs to AC/Heating at the fire houses, the Mayor and Council were in support of acquiring a maintenance company. City Manager/City Clerk Delaney advised that three quotes will need to be obtained before entering into a contract.
2. **Lead and Copper Sampling – Passing Test Results** – No discussion ensued.
3. **Clean Communities** – City Manager/City Clerk Delaney provided a brief overview on the agreed upon part-time positions for the Clean Communities grant. She shared that the job posting is on the City's website and they are actively seeking candidates to begin work right away.
4. **Little League Upgrades** – City Manager/City Clerk Delaney reviewed correspondence from Recreation Director Golabek in regard to improvements at the Little League field. It was stated that in the past the Coaches Association and parents had always fundraised for any improvements as part of their agreement. Discussion ensued regarding who owns the field and who is responsible for upkeep. Ms. Delaney said that she would look into the matter further and advise.
5. **NJDCA ROID Grant** – City Manager/City Clerk Delaney discussed an upcoming grant opportunity with the NJDJC ROID grant. She had requested that Recreation Director Golabek submit ideas for the application and shared them with the Governing Body, who was in support of the proposal as is. Mayor Rigoglioso then announced the plans for the upcoming "Boilermakers Brewery" that the Community Affairs Division is working on with Public Health Nurse Darleen Reveille.
6. **Financial Meeting** – City Manager/City Clerk Delaney requested that the Mayor and Council begin to think about plans for 2022 so that a financial meeting can take place to incorporate said plans in the 2022 budget.

Announcements

1. **Disaster Recovery Center Release – County** – The information is on the City's website. No further discussion ensued.

2. **FEMA DSA** – The information is on the City’s website. No further discussion ensued.

Executive Session:

A motion was made by Councilman Maslag and seconded by Councilwoman Banch to enter into Executive Session. Motion carried by the members present.

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Personnel
Litigation/Legal Reports
Purchase, Lease, or Acquisition of Real Property with Public Funds

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

A motion was made by Councilwoman Banch and seconded by Councilman Maslag to return to the public portion. Motion carried by the members present.

Mayor Rigoglioso recognized a member of the public who raised issues concerning flooding, detours, and signage by Passaic Street. He also inquired about the flooding in the Market Street and Semel areas in addition to parking by Bogart Street.

A motion was made by Councilman Maslag and seconded by Councilwoman Banch to re-enter into Executive Session. Motion carried by the members present.

A motion was made by Councilwoman Banch and seconded by Councilman Herrera to return to the public portion. Motion carried by the members present.

A motion was made by Councilman Herrera and seconded by Deputy Mayor Delaney to adjourn. Motion carried by the members present.

Respectfully submitted,

Erin Delaney, MPA, RMC
City Manager/City Clerk

These meeting minutes were approved at the October 26, 2021 Regular meeting of the Mayor & Council.